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AMERICAN DEMOCRACY AND ASIATIC CITIZENSHIP

SIDNEY L. GULICK

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AMERICAN DEMOCRACY
AND
ASIATIC CITIZENSHIP

AMERICAN DEMOCRACY
AND
ASIATIC CITIZENSHIP

BY

SIDNEY L. GULICK, D.D.

SECRETARY OF THE COMMISSION ON INTERNATIONAL JUSTICE AND GOODWILL, AND OF THE COMMISSION ON RELATIONS WITH THE ORIENT, OF THE FEDERAL COUNCIL OF THE CHURCHES OF CHRIST IN AMERICA

AUTHOR OF "EVOLUTION OF THE JAPANESE, SOCIAL AND PSYCHIC," "THE WHITE PERIL IN THE FAR EAST," "THE AMERICAN JAPANESE PROBLEM," "WORKING WOMEN OF JAPAN," "AMERICA AND THE ORIENT." IN JAPANESE: "SHINSHINKWABON" (COSMIC EVOLUTION), "JINRUI SHINKWABON" (HUMAN EVOLUTION), "KWAGAKU GAIRON" (GENERAL DISCUSSIONS AND A CLASSIFICATION OF HUMAN KNOWLEDGE), "DEUTSCH SHINGAKU RIYAKU SEI" (SKETCH OF THE HISTORY OF GERMAN THEOLOGY)

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INTRODUCTION

THE American Japanese problem remains unsolved. Diplomatic correspondence over the questions at issue between the two governments came to a stop in the summer of 1914, neither being satisfied with the position assumed by the other, and neither seeing what the next step should be to reach a position satisfactory to both.

Important writers of both lands have continued vigorously to discuss the international situation. In each land there are those who denounce the alleged weakness of their own government in dealing with the asserted aggressive deeds and policies of the other. Such writers, however, are dangerous guides. Urging our "right" and denouncing their "wrong" does not help to solve actual problems. In spite of the fury of their fine writing and their hysterical exhortations they make no important contribution to the solution of the problems or to the establishment of permanently right and mutually satisfactory relations.

On account of the strained relations that developed between America and Japan in 1913 over the California Anti-Alien Land Law, the Federal Council of the Churches of Christ in America, responding

to appeals from missionaries in Japan, established a Commission on Relations with Japan "to study the whole question in its relation to the teaching of Christ," and "to seek to rally the Christian forces of the United States for the solution of the problem, and for the promotion of such measures as are in accord with the highest standards of Christian statesmanship."

The writer, who had the honor to present to the Federal Council the memorial of the missionaries, was made the representative of the commission, has been given prolonged extension of his furlough, and under the auspices of the commission of the Federal Council has had unusual opportunity for the study and presentation of the question in every part of the country.

His twenty-six years of missionary service in Japan, and this experience in the United States, in which he has met not only churchmen but large numbers of business men in chambers of commerce and trade boards, as well as representatives of organized labor, particularly on the Pacific coast, have led the writer to certain definite conclusions as to the problem itself, and also as to the true methods for its solution. These conclusions have been presented in various volumes, pamphlets, and magazine articles, which present, of course, his own views and convictions, and for which the commission of the Federal Council is not responsible.

The discussions of this volume are strictly limited to the field selected for consideration; namely, the legislation which should now be enacted by Congress in order that America may do her part in setting right our relations with the Far East. Americans should realize that modern Asia has rendered not only obsolete but dangerous any policy that ignores their problems, needs, and essential rights.

The only real solution of the new problem that has been set for the entire world by the new Japan and the new China is to be found in our adoption of a new Oriental policy and programme. That policy and programme should embody two fundamental principles:

While, on the one hand, it should provide real protection for the Pacific coast States from the dangers of excessive Asiatic immigration;

It should also, on the other hand, give to Asiatics the same courtesy of treatment and the same equality of rights as America readily accords to all other people, whether they come from Europe, Africa, or South America.

To the casual thinker these two principles may seem to be not merely incompatible but positively contradictory. In point of fact, however, they are not necessarily either incompatible or contradictory.

The policy that embodies both these essentials may be summed up in two principal propositions:

First. All immigration should be regulated by the

principle that America shall admit only so many immigrants from any particular people as she can genuinely Americanize.

Second. Privileges of citizenship should be given to every individual who personally qualifies, regardless of his race.

Regulation of all immigration on a percentage principle affords the protection needed by the Pacific coast, and indeed by the entire country, from an excessive immigration from any land.

The granting of naturalization to every individual who qualifies removes all humiliating race discrimination, which discrimination is particularly resented just now by Japan.

The present volume seeks to present the various facts and factors involved in the new world-situation, and to consider carefully the various questions that arise when one tries to think through the pros and cons of the above proposals.

For example, the student of the subject needs to know much about modern Japan, her problems and her claims, for only so can he understand why America cannot carry out international policies as though Japan were not on the map. He needs to know, moreover, not only the new China that is looming up, but also the facts of our treatment of China and the Chinese during the past decades. These subjects are therefore presented in Chapters I, II, and III. Other chapters show how our deal-

ings with Asiatics permanently residing in our country have inevitable relations with our ideals of democracy—with the very foundations, indeed, of our government and of our institutions.

The student needs still further to know in some detail the history of our federal legislation dealing with immigration and naturalization, and with their effects on Asiatic immigration. He needs also to know the character of the Chinese and Japanese permanently settled in the United States. Attention is therefore given to these subjects.

What, moreover, are the facts as to the processes of Americanization that have been moulding our Oriental population both on the Pacific coast and in Hawaii? These matters are discussed in Chapters XII and XIII.

It is in the light of all these facts that a new national policy is proposed. This policy deals with methods for the regulation of immigration and with standards for the naturalization of aliens. Free and frank discussion of these proposals is earnestly invited.

The heavy work of securing from the many reports of the Bureau of Immigration the data needed for the statistical summaries given in Part II was done by Mr. Thomas P. Jones and Miss Frances E. Atwater. For this invaluable aid the author wishes to express his indebtedness. To his sister also, Mrs.

F. F. Jewett, the author owes more than can easily be told for repeated careful reading of the manuscript in its various stages of development, and for numerous suggestions of the highest value.

The inadequacy of the statistical section of this volume the writer keenly regrets. He is painfully aware of the perils of statistics—both those due to faulty handling and also those of positive error in computation, transcription, and proofreading. Whoever reports errors detected will earn his gratitude.

SIDNEY L. GULICK.

PART I

POLITICAL

CHAPTER I

THE NEW ASIA AND ITS SIGNIFICANCE FOR AMERICA

ASIA is no longer a sleeping giant whose wealth may be ruthlessly exploited and whose vital interests may be haughtily ignored. The West and particularly the United States should awake to the significance of the New Asia. West and East must find methods for mutually advantageous co-operation, good-will, and respect, or their rivalries, jealousies, and struggles will carry both down to destruction in frightful tragedies.

Europe's catastrophe has suddenly shown how closely interwoven is the fabric of the modern world. The interlinking of the life and interests of the nations had advanced much further than was realized. Even Asia begins to figure as a mighty factor in Occidental affairs. Some regard this as ominous. We talk of the "yellow peril"; yet for decades, nay, for centuries, Asiatics feared and opposed an actual and progressively overmastering "white peril."

For three hundred years geographical barriers have been rapidly vanishing, barriers that sepa-

rated mankind into groups and furnished the conditions under which they grew into diverse races and civilizations.

Now that oceans and mountains have vanished, mighty races find themselves face to face. The things that keep them apart to-day are languages, civilizations, color, facial appearance, and especially prejudices and group selfishness. The increasing contact of nations and races has been long in progress, but has now been suddenly revealed. It began afresh in modern times with the discovery and the conquest of America by the white peoples of Europe. The coasts of Africa and the southern part of Asia gradually came under their control.

But with the white man's most recent discoveries in science, and the mastery of her secrets and titanic forces, his power has increased in the most extraordinary way. This has led to fresh incursions into unexplored regions in search of stores of undeveloped wealth—wealth which he has seized with little regard for the interests or rights of native populations.

Thus has the white man too often proved a "white peril" to the native populations of every land whither his curiosity or desire for wealth has taken him.

The first effectual repulse of white men by men of another color has only recently come from Japan. Her reaction on the white man's approach deserves special attention, as through her all Asia is rapidly

taking on new forms of life and the white man has begun to talk about the "yellow peril."

Japan's first contact with white men from Europe occurred in 1541. For sixty years and more Europeans had free opportunity in Japan. Under the instruction of Roman Catholic missionaries, several hundred thousand Japanese became Christians. Then Japan took fright at the white man's methods and ambitions. She closed her doors, expelled the missionaries and merchants, exterminated the Christian religion, and, until 1853, lived a life of almost complete seclusion. No Japanese were allowed to leave her shores nor were foreigners allowed to enter her land.

All this was done to escape the Occidental flood, which, during the intervening three hundred years, completely engulfed the peoples of North, Central, and South America, and large parts of Africa, Asia, and Australia. Even China was seriously humiliated and injured. She was forced by the so-called opium wars (1845 and 1858) to give to the British not only privileges for ordinary trade, but for trade even in opium. Military and naval bases were also taken by Europeans.

Japan soon discovered that she was unable longer to resist the encroachments of foreigners, and in 1854 made her first treaties. After a dozen years of inner turmoil and a revolution, she frankly accepted the new world-situation created by the

white nations, and undertook to learn their methods in order to meet them on a basis of equality.

This epoch-making decision was announced to the nation in an edict of five articles by the young Emperor, who as the first Emperor in a thousand years, unhampered by a dual form of government, held direct rule over the people. The edict (1868) virtually ordered the people to *abandon ancient superstition, to prepare for representative government, and to go out into all the world and learn whatever was good and true.*

In response to this edict a psychological as well as a social, industrial, and political revolution took place. All that Japan has been doing for fifty years has been but the practical carrying out in concrete ways of the new ideal and the new national policy that was then proclaimed. Recognizing that she could no longer carry out her historic policy of complete isolation and self-sufficiency, Japan deliberately plunged into the life of the world in order to learn its best and to incorporate it into her life in such ways as to stand upon a basis of equality with the other great nations of the world.

In carrying out this new policy Japan reorganized the entire political, social, educational, economic, and industrial order of her ancient civilization. The sufferings entailed upon her people by the process few foreigners know.

During the major part of this period of storm

and stress in which she was adopting and adapting Western customs, methods, and machinery, and striving to fit herself for her new place in the world, America's treatment of Japan was above reproach. Being in marked contrast to that of other lands, it called forth a gratitude toward, a friendship for, and a confidence in, America that Americans cannot easily realize. Witness our helpful diplomacy throughout the entire period, our return (1883) of the Shimonoseki indemnity ($875,000) with $30,000 interest (used by Japan in preparing for foreign commerce the harbor facilities of Yokohama), the religious, educational, and philanthropic work of American missionaries, and especially our welcome in America to her students, giving them every opportunity, not only in our schools, colleges, and Christian homes, but in our factories and industries.

The processes of reorganization and acquisition, however, are now largely over. The consequences are beginning to appear. The West is awakening to what has happened. It sees Japan's power, both actual and potential. Fear and suspicion are developing. For Japan is now equipped with "civilization," with factories and shipyards, with bayonets, bullets, and battleships, and with Occidental ideas and with ideals as to the right of virile nations to expand, and to dominate over those that are weak or backward, taking possession of their natural

wealth and exploiting their laboring classes. Two important and successful wars—with China and with Russia—and the annexation of Korea, have startled the world—both the East and the West.

China, too, is now moving. Japan's successes and Europe's fresh aggressions have at last awakened that mighty people. In the nineties the "Powers" of Europe, having completed their "division of Africa," began to look with greedy eyes on China. In 1896 Germany, Russia, and France compelled Japan to return Port Arthur to China in order to maintain, as they stated in their deceitful diplomacy, the integrity of China and the permanent peace of the Far East. But in 1897–1898 Germany took Kiao-Chao as indemnity for the killing of two German Jesuit missionaries. Russia received Port Arthur as a reward for having kept Japan out of the same. England took Wei-hai-wei and France took Kwan-chau-wan to keep up "the balance." In each case the impotent Manchu government made treaties with those "friendly Powers," giving them concessions and "rights." But the people of China grew anxious. There soon developed (1900) the "Boxer uprising." China's common people of the north sought to turn the white man out and keep "China for the Chinese."

But it was too late. Six "civilized" armies marched up to Peking, and, to teach China a lesson regarding the sacredness of treaties and the white

man's "rights," in addition to the outrages and destruction wrought by the soldiers, they saddled upon China an indemnity exceeding $300,000,000, far exceeding the actual costs. Poor China!

Then, according to mutual agreement, all the allies withdrew their troops to their home lands, except Russia. Ignoring her promise, she not only left her troops in Manchuria, but began to send in thousands more. Japan became anxious. Negotiations were started. Russia procrastinated, meanwhile increasing her east Siberian forces, completing her Siberian railroad, and gaining diplomatic and other footholds in Korea. This exasperating, insolent, and ominous policy caused the Russo-Japanese War.

Japan felt that the complete possession by Russia of Manchuria, Mongolia, and Korea threatened her very existence as an independent nation. The "partition of China" also by the European nations would surely follow. But Japan's acquisition of Occidental "civilization" had been so far successful that single-handed, though indirectly supported by her alliance with Great Britain, she beat back the "bear from the north" and saved, not only herself, but China also from the threatened European invasion that had swept over all of south Asia from Mesopotamia to Cochin-China, and of north Asia from European Russia to Alaska.

One month after the signing of the treaty of peace

between Russia and Japan at Portsmouth, N. H., China's conservative leaders at last saw the light and definitely abandoned her ancient and proud policy of self-sufficiency. From that wondrous victory of Japan over Russia, China learned that knowledge from the West such as Japan had been acquiring for forty years could alone enable Asiatics to meet white aggressors successfully. The ultra-conservative Empress Dowager, who had been cutting off the heads of reformers both literally and metaphorically, became herself a great reformer. She abolished China's ancient system of classical education and ordered the introduction throughout the empire of Occidental education. This was in 1906.

The changes that have followed in the intervening years have been beyond belief to those who thought they knew China. Millions of Chinese are studying Western ways. Nearly 1,400 Chinese students are now in American institutions of learning. Tens of thousands of Chinese young men have studied in Japan since the war with Russia, seeking short cuts to Western knowledge. In 1910 and 1911 some 15,000 Chinese students were studying in the single city of Tokyo, Japan. Not for centuries has China's outlook been so bright. In 1912 the alien Manchu dynasty was driven from the throne. Repeated efforts for the re-establishment of monarchy have failed. The nation is pushing forward with remark-

able insistence for modern forms of government and for alignment with the life of the West. The opium trade has been stopped and its curse has been substantially overcome. Political graft is being eliminated. Occidental education is proceeding, and desire for reforms is wide-spread. If China can avoid further alien intrusion, her future is decidedly hopeful.

A New China is now clearly above the international horizon. Her young men are training for intelligent leadership of that mighty people. In two or three decades they will be guiding China's policies. Will they be friendly or hostile to us?

The Orient is acquiring a new life—a new vitality. The motive power that will more and more direct its policies is twofold. The first factor is practical. It will come from the pressure of an increasing population—pressure that will grow mightily with every new decade. For Occidental hygiene, medical science, and ideals as to the value of the individual will rapidly multiply China's millions. Japan's population has doubled in fifty years. Will China's population do the same? Where will they live? Whence will they secure their food?

The second factor is psychological. Orientals are not lacking in pride, in courage, in determination, and in ideals. An armed Orient will resent discourtesy, humiliation, and unfair dealing. It will fight for honor—for equal treatment. If the West

claims superiority and right based on might, the East when ready will challenge its claim and test its might.

The adoption by Japan and China of the mechanical, economic, social, and political elements of Occidental civilization constitutes indeed the beginning of a *new era in human history.* We are not at the end but at the beginning of the mighty movements in Asia that are transforming them. The impact of the West on the East is now beginning to bring results that were not anticipated. Asia has been compelled by the pressure of the West to realize that she could not carry on her life regardless of the West. The West is beginning to discover that she cannot carry on her life regardless of the East.

More and more the essential unity and community of mankind is coming to light. No fragment, no nation can continue longer to live as if it were the whole. Each part must accept its place as a part of the whole and live for the welfare of the whole. Failure to do this will bring disaster after disaster, if not complete destruction.

A New Asia means a new world. Each half, East and West, White and Yellow, must in some way overcome its inherited tendencies to arrogance and pride, selfishness and greed. We are members one of another. We must adjust our national policies, our political and economic relations, and our mental attitudes in order both to express and to realize the

new life upon which the entire human brotherhood is inevitably and irrevocably entering.

To appreciate these matters the better we shall study in the following chapters the problems and the claims of Japan and China, the history of our legislation dealing with immigration and naturalization, the relation of citizenship to democracy, and the rights and duties of nations.

We shall then present in outline the needed policy and programme for dealing with the entire problem.

CHAPTER II

JAPAN: HER PROBLEMS AND CLAIMS

JAPAN'S entrance into the life of the world and acceptance of the civilization of the West has not been to her an unmixed blessing. In important respects her problems have become more intense. Her modern system of universal education giving world outlook, ideals, and ambitions to millions of her young men and women; her extraordinary industrial development and international trade bringing wealth and a higher scale of life to millions, but also bringing grinding toil, poverty, disease, and wretchedness to other millions; her new political system giving responsibility for national as well as for local government and causing the entire nation to consider and decide upon international relations and policies; her new ideals as to the value and rights of the individual begetting throughout the nation a spirit of insistence on rights and a forgetting of the importance of service and the necessity of duty; her modern hygiene and her medical and surgical efficiency giving remarkable success in battling with epidemics no less than with the regular diseases, and making possible a lower death-rate and a longer average of life—these many blessings have brought also many new problems.

The full discussion of these problems, however, is no part of our plan. We need to consider them only so far as they throw light on the character of the policy which America should adopt in her dealings with Japan.

Japan's old policy kept her people at home, almost stationary in numbers and relatively docile and contented. Her new policy opens their eyes to the great world, gives them efficiency in dealing with it, multiplies her millions and fires them with ambition both personal and national. Mighty economic and psychological forces are at work sweeping the entire nation along in its course and making certain for Japan an important rôle in international affairs.

A few concrete facts may help Americans to understand the situation better, and to sympathize more truly with the people as they face their modern problems.

Japan proper has an area of 147,000 square miles (California has 158,000), of which one-sixth, or about 15,000,000 acres, is under cultivation. Many States have more cultivated land than has Japan (Kansas has 30,000,000; Nebraska, 24,000,000; Indiana, 17,000,000; New York, 14,000,000; Ohio, 19,000,000). The average farm in Japan is two and a half acres, a half-acre to each individual on the farm, and a quarter-acre to each inhabitant of the nation.

Tenants pay for farm rentals 57 per cent of their rice, and 44 per cent of other crops. Taxes consume

16 per cent of the total yield of the farms. Farmer debts amount to $475,000,000, paying interest rates from 7 per cent to 20 per cent. The total private income of Japanese is taxed at from 20 to 30 per cent.

The population of Japan proper is nearly 55,000,000, growing yearly by about 700,000. (Great Britain has 46,000,000; Canada, 8,000,000; Australia, 6,000,000; and New Zealand, 1,100,000; total, about 60,000,000.)

With the exception of copper, Japan is poor in mineral resources. While the coal production of the United States was 458,000,000 tons in 1916, that of Japan was 22,000,000 tons, only enough to supply the United States Steel Corporation for eight months. Japan has no iron to speak of, and no cotton. She sells large quantities of her high-grade rice to foreign lands and imports low-grade rice for herself from China.

"It has often been pointed out that the population of Japan is not so dense as in Belgium or England. But Belgium and England are almost wholly arable; Japan is almost wholly mountainous. If we eliminate from the figures of area the unproductive lands of each country, the population per square mile works out approximately: England, 466; Belgium, 702; Japan, 2,688. A population of 2,688 on every square mile of arable land—less than a quarter of an acre of land for each person! There is more good land in mountainous Kentucky than in all Japan."[1]

[1] "Japan and America," by Carl Crow, p. 11.

Japan's problem is how adequately to feed, clothe, house, and educate her multiplying millions and give them that larger, richer life of the modern world for which their intelligence, industry, education, ambitions, and world outlook are fitting them.

Were Americans under the physical and economic conditions of the Japanese sketched above, would they not regard their load and their problems as staggering? And would they not feel compelled to avail themselves of every possible opportunity for trade, emigration, and legitimate territorial expansion? And with their history and intrinsic ability, would they not earnestly ask of the nations of the world a square deal, equal treatment, and honorable recognition?

If America were in Japan's place as to population, food-supplies, and natural resources, what would she do?

The mutual impact of the expanding life of both Japan and the United States comes at three points, and requires some kind of adjustment of policies, if these two powerful, ambitious, and able nations are to live together as good neighbors.

These three points of impact as they have emerged historically, relate to matters of Japanese immigration into the United States, to the treatment of Japanese in the United States, and to the respective policies of the two nations in China. With reference to the third point we present no discussion in this

volume, as it has already been discussed rather carefully in "America and the Orient,"[1] and is not immediately connected with the purpose of the present volume.

Nor shall we discuss the general features of Japanese immigration to California, the conditions there, the wrongs they have done and also suffered, and the improvement in the general situation that is now beginning to take place. These more general aspects of Japanese immigration have been considered at some length in the earlier chapters of "The American Japanese Problem."[2]

In this chapter I wish to emphasize the difference between the view-points of the Japanese and American Governments, and also of their respective peoples in regard to the "gentlemen's agreement." In general it may be said that both governments are well satisfied with its nature and its results while the peoples are not satisfied.

The government of the United States sees that without any legislation on our part, Japan by her own restrictive policy in regard to the issuing of passports, beginning in 1908, has practically stopped the coming of new Japanese labor immigration to the United States. The administration of the Chinese

[1] "America and the Orient," Sidney L. Gulick (Missionary Education Movement, New York, 1916).

[2] "The American Japanese Problem," Sidney L. Gulick (Charles Scribner's Sons, New York, 1914).

exclusion laws, on the contrary, has caused us an enormous amount of trouble and expense, and has necessitated repeated legislation; and even so our laws have been continuously evaded by considerable numbers of insistent Chinese immigrants. Japan's administration of the gentlemen's agreement is more satisfactory to us and also more successful than our administration of our own Chinese exclusion laws.

The Japanese Government is also well satisfied with the "agreement" because it thereby has prevented the enactment by the United States of Japanese exclusion laws, which would be exceedingly humiliating, as they would subject Japanese to the same invidious and discriminatory treatment that has been inflicted on the Chinese.

The people, however, in both countries who know of the "agreement" are by no means satisfied. Some Americans insist that the restriction of Japanese immigration should not be a matter of Japanese courtesy merely. We should have our own laws regulating the matter. Should Japan decide to suspend the "agreement" and suddenly send over to us tens of thousands of immigrants we would be at her mercy, for we have no laws that would authorize their rejection or deportation. Americans who urge this view, however, are probably not many. Most Americans have implicit trust in the word of Japan. We believe most confidently that she will continue faithfully to administer the "agreement."

The people of Japan, on the other hand, millions of them, keenly resent the action of their government in giving us that pledge and in administering it so strictly. Few Americans realize what it means to tens of thousands of ambitious young men and women. They know that in America are millions of uncultivated acres and vast undeveloped resources. They are eager to go to a land flowing with milk and honey, where gold is cheap and wages high. They are able and willing to work. They cannot understand why their government should enter upon and rigidly enforce a policy so humiliating and unfair.

Does not America open her doors to immigrants from every country of Europe? they ask. Are Japanese indeed so inferior to the immigrants of those countries that they are not worthy of equal opportunity in that land of plenty and opportunity for all? America's rejection of Chinese immigration is indeed intelligible, for Chinese are in truth an inferior race. But, they continue, we Japanese are in no respects inferior to Italians and Slavs, Turks and Armenians, Africans and Mexicans. We are peaceable and industrious and efficient. We ask no special favors. We are willing to take only what we earn. Why then does America deny us opportunity? And why does our government weakly and shamefully yield to such a dog-in-the-manger policy and so insulting to our race? Is America dominated

by race selfishness, and her policy controlled by race pride and prejudice?

Can friendship be one-sided? How can America profess to be friendly with Japan whose immigrants in small numbers she refuses at the very time that she is admitting hundreds of thousands from peoples in no way superior? And if America is not friendly to Japan, can Japan be friendly to America? How can Japan tamely submit to a treatment and a relation that is virtually an insult, an unbearable humiliation?

The experience is biting deep into their national soul. In the light of such experience and reflections Japanese admiration of, and friendship for, America have been seriously shaken during the past decade.

Their responsible leaders, however, recognize that they are at present caught between the devil and the deep sea. Their faithful administration of the "gentlemen's agreement," they see, alone prevents America from passing Japanese exclusion laws similar to those excluding the Chinese. The humiliation of that situation would be manifold more bitter than the present humiliation. The government and the leading Japanese see no way out of the present predicament. With smiling face and the best of grace they accordingly give assurances that they will continue the "gentlemen's agreement" in full force in the interest of the "historic friendship" of the two peoples.

The third element in the impact of the policies of America and Japan is the treatment of Japanese already in the United States.

An anti-Japanese movement has been developing in the United States leading to differential race legislation. It has taken acutest form in the California Anti-Alien Land Law. Without attempting to characterize this movement adequately I may yet describe it as a movement partly economic, implicitly confessing fear of Japanese superior efficiency; partly racial, expressing scorn, disdain, and arrogance at the ambition and success of a people "instinctively" felt to be essentially inferior; partly political, furnishing opportunity for certain individuals and political groups to gain personal or party advantage by appealing to selfish interest and race prejudice against sections of the community politically helpless; and partly natural and inevitable, arising from numberless mistakes, misunderstandings, and misdeeds of individuals of different race groups speaking different languages and acting under different customs, ideas, and ideals.

Many Americans have made up their minds that they do not like the Japanese; that the less we have to do with them the better, that we should not allow more of them to come to our shores, and that the sooner and the more completely we can secure the departure of those already here, the better. They grasp at any story abusing the Japanese or putting

them in a bad light. They readily believe everything bad said about them, and pass on the story with zest. They favor any form of legislation calculated to hamper their economic opportunity without regard to the implications and the international consequences.

Because of these feelings, cultivated by a certain section of the press and now widely entertained, Japanese in America often suffer personal insult and humiliation. In some sections of our land they are excluded from barber-shops; in others from restaurants. Some Young Men's Christian Associations will not receive them into full membership. Japanese travellers tell of many a slight and humiliating insult experienced in this land of liberty. The United States is the one civilized country to which they go where they are subjected to such irritating and humiliating experiences.

Of course most Japanese well recognize that on the other hand they customarily receive splendid treatment in the United States. Schools and colleges are open to them. Individual Japanese have made good and have been received in many walks of life, as business men, as professors in colleges, as physicians and surgeons, as experts in chemistry, biology, and various sciences, as tennis-players, and as public speakers of distinction. In social relations they are widely accepted in most sections of the United States.

In spite, however, of these achievements and more favorable relations, Japanese realize that their status in the United States is more or less precarious, liable to sudden reversal and humiliation. A distinct Japanese policy has accordingly been gradually forming in regard to this matter. It is a policy of insistence on equality of treatment and of political opportunity. They refuse to accept the status of race inferiority and resent any expressions of word or conduct, and especially of laws, that carry that implication. This is not only the policy of Japanese individuals but of the nation and of the government. They are prepared to insist in every legitimate way that in a land where liberty, equality, and fraternity are so emphasized, in a land that proclaims itself and prides itself on being "Christian," they shall enjoy the same privileges that are freely granted to men of various other nations and races. They will not tamely submit to any disqualifying treatment or discriminatory legislation directed against them merely because they are Japanese. Their sensitive, high-strung natures resent the indignity, both personal and racial.

The very purpose of the "gentlemen's agreement" so far as Japan was concerned was to make needless any anti-Japanese legislation in America. California's Anti-Alien Land Law therefore cut deep into the heart of Japan—not because of its economic aspects, but because of its humiliating implication,

which, moreover, was false—that Japan was not faithfully administering the "agreement," and that Japanese deserved to be treated differentially because of their race. The clever phraseology of that law by which it sought to keep within the Constitution and the treaty, made the fundamental issue perfectly clear. So long as Japanese are regarded as "ineligible for naturalization" their status in the United States is precarious, and local differential treatment and legislation is inevitable. The fundamentally obnoxious anti-Japanese legislation of the United States, therefore, is not that of California or other Western States, but that of Congress itself, defining "eligibility for citizenship."

The question of Japanese immigration, and the question of their acquisition of the privileges of American citizenship, constitute thus the two foci of the American-Japanese problem concerning which national policies are more or less in conflict. If harmony and genuine good-will are to be maintained between these two countries, answers for both these questions must be found that will satisfy the sense of justice, of right, and of fair dealing of both nations.

If the rigid restriction of immigration from Japan and the exclusion of otherwise qualified Japanese from the privileges of American citizenship entirely on the ground of their race are really right and necessary, these positions and the laws embodying

them must be based on grounds and carried out by methods that imply neither race arrogance nor economic race selfishness. Japan will then be satisfied. If these policies and laws are not or cannot be thus grounded and administered they must be given up. Americans must be led to this position by considerations of fair play, the square deal, and enlightened self-interest.

Japan and America are neighbors and will always remain so. They must follow the principles of neighborliness, each having a care for the welfare and good-will of the other. This may at times require self-sacrifice and surrender of "rights." But these are the conditions of all human life that is noble and worth while. Nations no less than individuals win greatness by service and are called on to forego selfish advantage at the expense of neighbors. No nation liveth to itself. Nations as well as individuals are members one of another. Any selfish or arrogant action or attitude that America may take that is humiliating or harmful to Japan cannot fail to have its harmful reaction on America. The permanent peace of the Pacific can be maintained only by neighbors that are mutually courteous, considerate, and willing to co-operate for each other's welfare.

In order that we may more adequately understand the concrete facts of the situation we should also study the statistics of Japanese immigration

and emigration, and the extent, distribution, and character of the Japanese population that has entered upon permanent residence in this country. These facts are presented in Chapters XI, XII, and XIII.

Appendix to Chapter II

"If one race assumes the right to appropriate all the wealth, why should not all the other races feel ill used and protest? If the yellow races are oppressed by the white races, and have to revolt to avoid congestion and maintain existence, whose fault is it but that of the aggressors? . . . If the white races truly love peace, and wish to deserve the name of Christian nations, they will practice what they preach and will soon restore to us the rights so long withheld. . . . *Any suggestion that we must be forever content to remain inferior races will not abide. Such an attitude is absolutely inconsistent with our honor as a nation and our sovereign rights as independent states. We therefore appeal to the white races to put aside their race prejudice and meet us on equal terms in brotherly co-operation.*"—Professor R. Nagai, *Japan Magazine*, May, 1914.

"The fundamental question in the California land trouble is that of discrimination. It is *a matter of honor*. If for the purpose of self-protection the United States determine that no alien should hold land, that would be all well and good. The United States would have a perfect right to do so, and everyone would respect that right. But when we alone are discriminated against, we feel that we must protest."—Doctor Juichi Soyeda, in a pamphlet on the California Japanese Question, 1913.

Mr. Tokutomi in an article in the *Kokumin Shimbun*, of December 26, 1914, said that "the 'agreement' has made it *almost as difficult to get to America as it is to get to heaven.*"

"If we let the California anti-Japanese movement stand where it is now, it simply means *increasing injury to the dignity of our country*. . . . If our government could not see the anti-alien land law nullified and naturalization rights affirmed by the American people, if there were any signs of weakness in diplomatic negotiations with the United States, *China might begin to mock us and the Koreans might become disobedient to the Japanese administration.*"—Professor M. Kobe, *New York-Japan Review*, September, 1913, p. 163.

"We are a peace-loving nation. Our endurance has stood the successive tests of the Manchurian railway question, the school affair, the immigration flurry, the California land-law dispute; it will stand more because we are bent on the maintenance of peace. But with a view to a speedy and amicable settlement of the outstanding complication, we claim that America accede to one of the two alternatives—the granting of the right of naturalization to the Japanese, or the conclusion of a treaty to guarantee their rights of owning land or of leasing farms. I venture to say this is no extravagant claim. Justice demands that America shall treat the Japanese on equal terms with European immigrants, since she has permitted the former to enter and live on her land. If it is a question of granting such rights to millions of Japanese, it may be too serious for America to consent; but it is a matter that involves

only 90,000 residents. Is she still reluctant to comply with our claim? If she rejects it, I am afraid that the day will come when our friendship toward her shall cease."—Professor S. Suyehiro, "Japan's Message to America," p. 69.

CHAPTER III

CHINA: OUR TREATIES AND OUR TREATMENT

THE decision of China to enter completely into the life of the world, and to adopt the characteristic mechanical, economic, social, and political elements of Occidental civilization is a decision of the utmost importance to the entire world, and especially to America. It is vital, therefore, that the United States should carefully consider the new situation. What have been its relations with China in the past? Have they been honorable and helpful? What is the duty of America at this time in its relations with China and its treatment of the Chinese in America. What responsibilities have we, if any, for helping China? And, what is even more pertinent, what should we do to correct the errors and wrongs of our past relations and to put and keep ourselves right in our future dealings with that mighty new force in world development and world politics?

In order to answer these questions we must first review the history of our past relations with China and our treatment of Chinese in this country.

The story of our dealings with China is, as a whole,

one of which we need not be ashamed. We have not seized her territory, bombarded her ports, or pillaged her capitals as other nations have. On the contrary, we have helped preserve her from "partition" at a grave crisis in her relations with Western lands. We have stood for the open door and a square deal. Our consular courts have been models of probity and justice. The work of our missionaries in hospitals, in education, and in famine and flood relief has been highly appreciated. In compensation for American lives and property destroyed by Chinese mobs we have not made excessive demands for indemnities, except in the case of the Boxer uprising. At that time we seized in Peking and still hold the "compound" on which our legation buildings stand, and we demanded and received $24,000,000 to be paid in instalments with interest. Since 1907, however, we have been returning the excess portion and by 1939 we shall have returned to China about $40,000,000.

In consequence of such factors the Chinese as a nation hold to-day a highly gratifying attitude of friendship toward us. So conspicuous has this friendship and preferential treatment become since the establishment of the republic that other nations have begun to note it. In the reforms taking place in China, especially in her educational system, in her political and social reorganization, and in her moral and religious awakening, the influence of

Americans is far beyond that exercised by any other people.

When we turn, however, to the story of what many Chinese have suffered here, we are filled with shame. The story would be incredible were it not overwhelmingly verified by ample documentary evidence. Treaties have pledged rights, immunities, and protection. They have, nevertheless, been disregarded and even knowingly invaded; and this not only by private individuals, but by legislators and administrative officials. Scores of Chinese have been murdered, hundreds wounded, and thousands robbed by anti-Asiatic mobs, with no protection for the victims or punishment for the culprits. State legislatures, and even Congress, have enacted laws in contravention of treaty provisions. Men appointed to federal executive offices have at times administered those laws and regulations with offensive methods.

Few Americans know what has taken place. The above general statements sound vague and inconclusive. Let us therefore consider definite details.

Previous to the coming of considerable Chinese immigration to this country the relations of China and the United States were well-nigh ideal. Our merchants were welcomed in China and did an honorable and extensive trade to the advantage of both countries. So cordial had the relations become that when our minister, Anson Burlingame, negotiated

the new treaty of July 28, 1868, an article was inserted providing for free immigration. It reads as follows:

"*Article V.*—The United States of America and the Emperor of China cordially recognize the inherent and inalienable right of man to change his home and allegiance, and also the mutual advantage of the free migration and immigration of their citizens and subjects respectively from the one country to the other for purposes of curiosity, of trade, or as permanent residents. The high contracting parties therefore join in reprobating any other than an entirely voluntary immigration for these purposes."

Special articles of the treaty also provided for "most favored nation" privileges of travel, of education, and of teaching.

Chinese immigration to the United States may be said to have begun in 1851 with the arrival that year in San Francisco of 2,716 persons. By 1882, when free immigration from China was forbidden by act of Congress, some 300,000 Chinese had come to the United States; during that same interval about 150,000 are recorded as having returned. Careful estimates indicated that in 1882 there were about 132,300 Chinese on the Pacific coast.

Anti-Chinese agitation and discriminatory legislation began very soon. Chinese were regarded by many as on a par with Indians and Negroes. "The (California) State superintendent of public in-

struction, in 1859, protested against the attempt to force 'Africans, Chinese, and Niggers' into white schools."[1] The California Statute of 1860 excluded Mongolians, Indians, and Negroes from the public schools.

"The result of the exclusion of their testimony from the courts was most disastrous for the Chinese. It made it possible for unprincipled whites to commit crimes against them with impunity so long as there were no white witnesses. Much of the discrimination suffered by the Chinese was due to the fact that the administration of the law was in the hands of officials whose political future depended on their pleasing the miners who constituted, at that time, the chief body of workingmen in the State."[2]

With the advent of the "sand-lot orators" in the seventies the anti-Chinese agitation grew apace. In 1876 the California State Legislature, with an eye to the national election of that year, appointed a committee of investigation whose report of 300 pages became the basis of the nation-wide anti-Chinese campaign. Ten thousand copies were distributed to governors, editors, and legislators throughout the United States.

Theodore Hittel speaks of that report in the following terms:

"As was expected and in fact perfectly understood beforehand, the report was violently anti-

[1] "Chinese Immigration," by M. R. Coolidge, 1909, p. 78.
[2] *Ibid.*, p. 81.

Chinese in character and suited the popular prejudice so well that 20,000 copies were ordered printed. Matters had so far advanced that nobody, particularly nobody that held or ever expected to hold office, dared say a word in favor of the Chinese; but on the contrary, everybody, the Republicans as well as the Democrats, seized every opportunity to make public profession on the anti-Chinese side."[1]

"In order to produce an anti-Chinese report the committee ignored, emasculated, or falsified most of the competent testimony, preferring in matters of religion the opinion of police officers to those of missionaries; on the subject of manufacture, the opinions of police officers to those of a large manufacturer; and again on the subject of coolie slavery the opinions of city officials and policemen to those of persons who had lived for many years in China."[2]

So violent was the anti-Chinese sentiment that when F. M. Pixley, of San Francisco, presented the case before the Congressional Committee of 1876, he used these words:

"The Chinese are inferior to any race God ever made. . . . Their people have got the perfection of crimes of 4,000 years. . . . I believe the Chinese have no souls to save, and if they have they are not worth saving."[3]

The federal courts, however, would not recognize the anti-Chinese legislation of the Pacific coast States, which was regarded as unconstitutional and in violation of treaty. A movement, therefore,

[1] *Ibid.*, p. 83.
[2] Professor Coolidge, *ibid.*, p. 95.
[3] *Ibid.*, p. 96.

started for the negotiation of a new treaty and the enactment of anti-Chinese federal legislation.

In 1876 Congress established a special committee which took evidence of 129 witnesses in San Francisco and Sacramento. Their report, however, "reveals the intentional perversion of the testimony in order to produce the desired anti-Chinese campaign document."[1]

The full story of the malicious and deceitful character of that long-continued campaign should be read and known by all true Americans who desire now to correct the errors of the past and set right our relation with China.

The agitation so far succeeded that in 1880 a supplemental treaty with China was negotiated, permitting the United States to suspend the immigration of Chinese laborers. The important sections of that new treaty are:

Article I provides that "the Government of the United States may regulate, limit or suspend such coming or residence of Chinese (laborers), but may not absolutely prohibit it. The limitation or suspension shall be reasonable and shall apply only to . . . laborers."

Article II provides that: "Chinese laborers who are now in the United States shall be allowed to go and come of their own free will and accord, and shall be accorded all the rights, privileges, immuni-

[1] *Ibid.*, p. 104.

ties, and exemptions which are accorded to citizens and subjects of the most favored nation."

Article III provides that in case of ill treatment the "Government of the United States will exert all its power to devise measures for their protection and to secure to them the same rights, privileges, immunities, and exemptions as may be enjoyed by citizens or subjects of the most favored nation, and to which they are entitled by treaty."

Article IV provides that legislative measures dealing with Chinese shall be "communicated to the Government of China," and if found "to work hardship upon the subjects of China, consultations shall be held to the end that mutual and unqualified benefit may result."

In spite, however, of the complete cessation of Chinese labor immigration, and in spite of the promises of our government to provide protection, "and most favored nation treatment," the unjust treatment of Chinese did not cease. The outrages committed on the Chinese during the eighties were even more inexcusable than those of the preceding decade.

In his discussion of the question whether the federal government should protect aliens in their treaty rights, Ex-President William H. Taft cites the cases of 50 Chinamen who suffered death at the hands of American mobs in our Western States, and of 120 others, many of whom were wounded

and robbed of all their property. The list does not profess to be complete. All these outrages have occurred since 1885.

"In an official note of February 15, 1886, riots were reported at Bloomfield, Redding, Boulder Creek, Eureka, and other towns in California, involving murder, arson, and robbery, and it was added that thousands of Chinese had been driven from their homes."

None of the criminals were punished in spite of the article in the treaty which expressly provides that in case "Chinese laborers meet ill treatment at the hands of other persons, the Government of the United States will exert all its power to devise measures for their protection and secure to them the same rights, privileges, immunities, and exemptions as may be enjoyed by citizens or subjects of the most favored nation and to which they are entitled by treaty." Congress, it is true, has voted indemnities for families of those murdered, but financial remuneration can hardly be supposed to take the place of justice or to be a substitute for observance of treaty pledges.

It is sometimes said that Italians and other aliens suffered similarly from mob violence and they too were not protected, nor were the criminals punished, and that therefore China cannot complain of exceptional treatment. But is it not obvious that failure

of the United States to fulfil its treaty pledges to Italy and other countries in no wise justifies similar failure toward China? Does it not rather show that the United States is culpable for failure to make adequate provision for the faithful performance of its treaty pledges? This moral and legal defect has become most conspicuous in our relations with China, but its culpability is in no wise lessened—rather it is aggravated—as soon as it becomes clear that the defect is entirely due to the failure of Congress to take the needed action. For provision for such action is made by the Constitution of the United States.

The failure of Congress seems inexcusable, for it found time to enact not only the first general exclusion law in harmony with the treaty with China, but also several supplementary laws, of which important clauses are admittedly in contravention to the treaty.

The Scott law of 1888 and the Geary law of 1892 are still in force, though the essential injustice of some of their provisions and their disregard of Chinese treaty rights are now recognized. They are producing constant anti-American feeling among Chinese legitimately in America. Even in cosmopolitan New York and in Boston, Chinese sometimes suffer from the acts of federal officers who supervise Chinese residents in the United States, acts, moreover, which are required by the laws

and administrative regulations dealing with the Chinese.

With regard to the Scott law, Senator Sherman said that it was "one of the most vicious laws that have passed in my time in Congress." It was passed as a "mere political race between the two houses . . . in the face of a Presidential election." Senator Dawes sarcastically referred to keeping the treaties as long as we had a mind to. The law was "a rank unblushing repudiation of every treaty obligation . . . unwarranted by any existing danger—a violation such as the United States would not dare to commit toward any warlike nation of Europe."[1]

With regard to the Geary law, Professor Coolidge makes the following statement:

"Meanwhile the Chinese minister at Washington, the consul-general at San Francisco, and the Yamen at Peking were also protesting against the act. The Chinese minister had steadily protested ever since the Scott Act against the plain violation of treaty; just preceding the Geary Act, he wrote six letters to Mr. Blaine only two of which were so much as acknowledged. He now declared that the Geary Act was worse than the Scott Act, for it not only violated every single article of the treaty of 1880, but also denied bail, required white witnesses, allowed arrest without warrant and put the burden of proof on the Chinese. He quoted our own statement on the harsh and hasty character of the Act, not required by any existing emergency, whose political

[1] *Ibid.*, chap. XII.

motive was well understood both in China and the United States. In his final protest he said: 'The statute of 1892 is a violation of every principle of justice, equity, reason, and fair-dealing between two friendly powers.'"[1]

Not unnaturally, both the Chinese, and Americans interested in maintaining right relations with China, looked to the Supreme Court to declare unconstitutional such laws as contravene treaties—for are not treaties "the supreme law of the land"? The Chinese accordingly brought forward a test case dealing with certain provisions of the Scott Act (1888).

Judge Field, who pronounced the judgment of the court, said:

"It must be conceded that the Act of 1888 is in contravention of the treaty of 1868, and of the supplemental treaty of 1880, but it is not on that account invalid. . . . It (a treaty) can be deemed . . . only the equivalent of a legislative act, to be repealed or modified at the pleasure of Congress. . . . It is the last expression of sovereign will and must control." "The question whether our government was justified in disregarding its engagements with another nation is not one for the determination of the courts. . . . This court is not a censor of the morals of the other departments of the government."

This made it clear that a treaty is not the "supreme law of the land" except as Congress makes it

[1] *Ibid.*, p. 221.

so. Congress can, without violation of the Constitution, repeal or amend any part of a treaty even without securing the consent of the other party to the treaty, and even without conference. Treaties are declared by this decision to have no binding power upon Congress. The Supreme Court declined to take note of the moral obligations of treaty pledges. Disappointing though it may be, this is unquestionably correct law. Aliens deprived by Congress of rights promised by treaties may not appeal to the Supreme Court for the enforcement of those rights. The administration can indeed use the entire military force of the country to make a foreign nation observe its treaty obligations to us, but according to the interpretation of our Constitution, neither the administration nor the Supreme Court can hold Congress to the observance of our treaty pledges. The President has, of course, the power to veto an Act of Congress, but experience shows that even Presidents do not always regard treaties as binding, for the treaty-ignoring laws have been signed by the Presidents then in office. This makes it clear that the moral obligations of our nation must be carefully safeguarded by the people themselves. We must hold our representatives in Congress to their moral responsibilities in international as in all other relations. This is a matter of moral energy—not of law.

In 1904 Congress again contravened the treaty

with China. The treaty (1880) states that "The United States may regulate, limit, or suspend such coming or residence (of Chinese labor immigration) but may not absolutely prohibit it. The limitation or suspension shall be reasonable."

In harmony with these explicit provisions, Congress provided in 1882, in 1892, and again in 1902, for the temporary suspension of Chinese labor immigration for periods of ten years each. By 1894, however, so many of the laws and department regulations dealing with the Chinese had become so manifestly violations of the treaty that a new one was prepared in Washington to meet the difficulty, embodying the principal features of the anti-Chinese legislation. It proved, however, so obnoxious to the Chinese Government that at the first opportunity, namely at the expiration (1904) of the ten-year period for which the treaty itself provided, China denounced the treaty. The relations of the two countries, therefore, fell back onto the treaty of 1880. In spite, however, of its provisions quoted above, Congress then enacted that "all laws regulating, suspending or prohibiting the coming of Chinese persons—are hereby reenacted, extended, and continued without modification, limitation, or condition," thus again plainly contravening the treaty.

The history of anti-Chinese legislation, as it has been carried through Congress under the pressure of legislators from the Pacific coast States, from the

eighth decade of the last century even down to the present, and the way in which the Asiatic problem has been made the "football of party politics" are ill omens for the future relations of America with the Orient. Eight times in fourteen years anti-Chinese agitation on the Pacific coast secured increasingly drastic and obnoxious legislation in Congress. "All but one of these measures was passed on the eve of an election under political pressure for avowed political purposes." That legislation contravened plain provisions of the treaties, to say nothing of the spirit, and disregarded courteous protests of Chinese ministers and ambassadors. China sent in a "stream of dignified and ineffectual protests." The Chinese minister even charged us with duplicity in negotiating the treaty of 1880. "Mr. Bayard assured him that the President would veto any legislation which might be passed in violation of the treaty."

If the faithful observance of treaties between the nations of Europe constitutes the very foundation of civilization, is not the faithful observance of treaties with Asiatics the foundation of right relations with them? In other words, do not treaties ratified by Congress have moral aspects which should place them on a higher level of authority than the ordinary acts of Congress? Disregard by Congress of this fundamental principle for the maintenance of right international relations is fraught with ominous consequences. Congress, of course,

has the right to abrogate a treaty, but there is a right way and also a wrong way to do it. Is it any more right for a nation to abrogate an inconvenient treaty by simply passing laws in contravention to certain of its pledges, than it is for an individual who has made a promise to another individual giving *quid pro quo* suddenly and without conference to ignore that promise? Is it conceivable that Congress would have treated China as it has, had she been equipped, as Japan is to-day, with the instruments of Occidental civilization?

Minister Chang Yeu Hoon writing to Secretary Bayard remarked with courteous but biting sarcasm: "I was not prepared to learn that there was a way recognized in the law and practice of this country whereby your country could release itself from treaty obligations without consultation or the consent of the other party." [1]

Now when China becomes equipped with a daily press and adequate world news, when her national organization becomes better unified, more efficient, and better equipped, when her self-consciousness is more perfectly developed, and when she learns that Chinese entering America have often suffered ignominious treatment, that Chinese lawfully here are deprived of rights guaranteed by long-standing treaties, and that privileges granted as a matter of course to individuals of other nations are refused to Chi-

[1] *Ibid.*, p. 183.

nese on exclusively racial grounds, is it not as certain as the sunrise that Chinese friendship for America will wane and serious possibilities develop?

That Chinese, even those lawfully in the United States, are still liable to arrest and deportation under circumstances that deny them even the most rudimentary justice, is made evident by the case of Chin Loy You (223 Fed. 833). Judge Morton, of Boston, pronounced (February 16, 1915) the following opinion in regard to the methods of our Chinese inspection and deportation officials.

"It is apparent that many of what we are accustomed to regard as the essential safeguards of individual liberty were ignored. The prisoner was not allowed to see any of the witnesses against him while they were testifying, nor to cross-examine them, and he had no power to make them testify afterwards. All the oral testimony against the prisoner (except his own) was taken behind his back, and if not secretly, at least without notice to him or to his counsel, although the latter was well known to the officers and had reasonably demanded the right to be present at the taking of the testimony and to cross-examine the witnesses. The petitioner was denied the assistance of counsel both before and while giving his testimony at the first so-called 'hearing,' and also at the second 'hearing.' Statements of fact not under oath, made by persons not connected with the prisoner or with the Immigration Department, and never present at any hearing, were used against him. The proceedings plainly were not of a judicial character. They cannot be

supported, it seems to me, as legitimate administrative proceedings, because the officers did not endeavor themselves to ascertain the truth about the matter.

"'The proceedings' are to be viewed as a whole, and so viewed, they present to my mind, a plain violation of the fundamentals of fair play by the immigration inspectors. . . . The acting secretary, instead of disaffirming the illegal conduct of his subordinates, approved it and based his decision on it. . . . The next case of this kind may be one of an American citizen endeavoring to protect himself against exile by administrative order made in this way."

Among the most important constitutional safeguards guaranteeing justice to the individual is the famous Fourteenth Amendment. It provides that "no State shall deprive any person of life, liberty, or property without due process of law, *nor deny to any person within its jurisdiction the equal protection of the laws.*" On November 1, 1915, Justice Hughes, in a judgment dealing with the law passed by the State of Arizona restricting the privileges of aliens in regard to employment in order to give superior privileges to citizens, pronounced the law unconstitutional. He said that "*equal protection of the laws is a pledge of the protection of equal laws.*" (United States Reports 239, p. 33 X.) Has this important principle been observed in laws dealing with Asiatics? Should not steps be taken to remove from all State legislation those laws that discrim-

inate against aliens and especially that discriminate between aliens?

Such in bare outline has been the situation in the relations of the United States with China. A New China, however, has been born. Though she has not yet approached us with any definite requests for changes in our laws and our treatment, is it not clear that she would be quite justified in doing so?

But whether she does or not, here is the actual appeal of the facts, pathetic, urgent, humiliating, ominous.

How will America meet this appeal? Shall we go on our way unheeding? Shall we continue to disregard our treaties and humiliate mighty neighbors across the Pacific? That were an ominous course.

For the next step in this discussion we need to consider the history of federal legislation dealing with immigration and naturalization. These two topics will occupy us in the two following chapters.

CHAPTER IV

AN HISTORICAL SKETCH OF LEGISLATION DEALING WITH IMMIGRATION

IMMIGRATION and naturalization are closely interdependent. Without the former there would be no possibility of the latter.

From the beginning of our history until 1875 the immigration of aliens was encouraged. No limitations of any kind were placed upon it for nearly a century. When limitations were imposed they were imposed on grounds of moral and physical deficiencies, and for economic reasons.

The Act of March 3, 1875, forbade the importation of women for immoral purposes, the supplying of coolie labor, and the entrance of alien persons under sentence for felonious crimes other than political.

The Act of August 2, 1882, forbade the admission of convicts, lunatics, idiots, or persons unable to take care of themselves.

The Act of February 26, 1885 (amended February 23, 1887), prohibited the introducton of contract labor.

The Act of March 3, 1891, added the following classes to those forbidden admission: Paupers,

persons suffering from a loathsome or dangerous contagious disease, persons who had been convicted of a felony or other infamous crime or misdemeanor involving moral turpitude, polygamists and assisted immigrants.

The Act of March 3, 1903, also added other classes to the prohibited list, such as epileptics, persons who had been insane within five years, or who had had two or more attacks, professional beggars, anarchists, prostitutes, procurers, and those previously deported.

The Act of February 5, 1917, which is the most comprehensive law that has ever been passed, reaffirmed all the above provisions for exclusion and added many others, such as consumptives, defectives both mental and physical who are thereby rendered unfit to earn a living, persons from certain sections of Asia specified by latitude and longitude, and aliens over sixteen years of age who cannot read some language.

No people or race has even been excluded by name except the Chinese.

The Chinese Exclusion Act of May 6, 1882, was limited in its operation to ten years, and in its scope to laborers. It was, however, re-enacted in 1892, and again in 1902, for periods of ten years each. In 1904, as we have already stated in Chapter III, when the Chinese Government denounced the treaty of 1894 which then became terminable, Congress voted

that "all laws regulating, suspending, or prohibiting the coming of Chinese persons . . . are hereby re-enacted, extended, and continued without modification or condition."

The Immigration Act of February 5, 1917, in addition to many specifications as to physical, psychological, and moral defectives who are to be excluded, contains, as has just been stated, a comprehensive provision for general restriction, that, namely, which describes by latitude and longitude certain geographical regions of Asia and adjacent islands, natives of which should not be admitted. The geographical area referred to does not include Japan nor east China, but does include the majority of the islands of the Pacific, all India, and the major part of the continent of Central Asia. This phraseology of latitude and longitude was hit upon as a substitute for the proposal to exclude "Hindus and persons who cannot become eligible under existing law to become citizens of the United States by naturalization, unless otherwise provided for by existing agreements as to passports, or by existing treaties, conventions, or agreements that may hereafter be entered into."

To this phraseology the Japanese Government had objected since it was believed to be aimed especially at the Japanese and was suspected of being a prelude for annulling the "gentlemen's agreement."

The exclusion of aliens coming from the specified

region is, however, not absolute. Those excepted are government officers, ministers, or religious teachers, missionaries, authors, artists, merchants, and travellers for curiosity, their legal wives and their children under sixteen. Such persons, however, when admitted to the United States, must maintain their status and occupation at the risk of deportation.

The manifest purpose of the numerous restriction provisions of the Act under consideration is the exclusion of those persons who are physically or morally unfit for life among us, and the protection of our industrial and manual laborers from a possible vast immigration of ignorant and illiterate laborers from lands whose standards of life and economic conditions might easily cause our people serious difficulties.

Congress has thus passed six laws restricting immigration on moral, physical, and economic grounds, dealing in every case with individual characteristics, and nine laws dealing with Chinese. But in none of them is there reference to any race or people except to Chinese. The law of 1917 is the first one to apply a general principle of exclusion to any other peoples than to Chinese. It does not, however, as we have seen, specify races but regions, and it applies the restriction only to laboring classes.

The restriction of Japanese labor immigration which has been rigidly maintained since 1908 was undertaken by the Japanese Government in order

to render unnecessary federal legislation restricting Japanese, which legislation no doubt would have been passed had the Japanese Government not taken its action.

Such are the principal points in the history of our immigration legislation. We must now study the history of our legislation dealing with naturalization.

CHAPTER V

AN HISTORICAL SKETCH OF LEGISLATION DEALING WITH NATURALIZATION

AMERICA aims to be a thoroughgoing democracy. This is its ideal. The progressive achievement of this ideal is shown by the Constitution of the United States; by legislation regarding immigration and naturalization; by the Civil War; and by the amendments to the Constitution, and to the laws of naturalization immediately following that war. America does not wish any section of its people to be a subject class deprived of political rights. Every man permanently residing here should, according to our ideal, be a citizen, sharing in the responsibilities and duties no less than in the privileges of citizenship. The idea of a political aristocracy lording it over an ignorant and politically helpless mass of inferiors is repugnant to us. All government, we hold, derives its right to be and to act from the expressed will of the people and of all the people.

From the very beginning of our national history the democratic ideal was in control. Provision was promptly made whereby aliens who came to us for permanent residence might in due time enter into the fellowship of freemen guiding their own political destinies.

The history of our laws dealing with naturalization throws important light upon these matters and helps us to see what should be our treatment of Asiatics permanently residing in our land.

The Constitution (Art. I, Sec. 8) provides that "Congress shall have power . . . to establish an Uniform rule of naturalization," and also "to make all laws which shall be necessary and proper for carrying into execution the foregoing powers."

In harmony with this provision, the first law of naturalization was passed March 26, 1790. It provided that "Any alien being a free white person who shall have resided within the limits and under the jurisdiction of the United States for the term of two years, may be admitted to become a citizen thereof." Between 1790 and 1854 Congress passed fifteen laws dealing with naturalization, the points at issue being exclusively the length of residence and other matters as to conditions for acquiring citizenship. In each case the phrase "free white person" was retained without discussion. The period of residence required as a qualification for the acquisition of citizenship varied from two to fourteen years.

The reason for the adoption of the phrase "free white person" was manifestly the conviction that Indians and slaves, since they did not understand our life and political system, were not freemen and, therefore, were not fitted to be members of the body

politic, nor to exercise the duties and responsibilities of citizenship.

The only reference, however, to a discussion throwing light upon this point that has been found occurs in F. G. Franklin's "Legislative History of Naturalization." In a heated debate (1795) to amend the law by lengthening the period of residence, Mr. Dexter (Massachusetts) suggested that aliens applying for citizenship who hold slaves shall first "renounce all right to hold such persons in slavery," on the ground that slaveholders were not fit persons to exercise the privileges of suffrage. This proposed amendment, however, was dropped because of its reflection upon slaveholders who were already citizens.

This makes it clear that the conscious purpose of the phrase "free white person" in the naturalization laws was to exclude slaves from citizenship.

At the close of the Civil War the naturalization law was amended to bring it into harmony with the principles established by that war. By the Act of July 14, 1870, Section 7, Congress provided that "The naturalization laws are hereby extended to aliens of African nativity and to persons of African descent." Attention should be called especially to the word "*extended*." Does not this word imply the removal of all race discrimination from our naturalization laws? The problem of Asiatic citizen-

ship had not at that time been raised. That this was the intention of the law is evident from the fact that until recent times our federal and State governments used "white" as a catch-all term to include all who were not otherwise classified. This is seen to be the case both from the census reports and also from many legal documents and court decisions.

Judge Lowell discussed (December 24, 1909) the meaning of "white persons" exhaustively in the case *In re* Halladjian (174 Fed. 834, 841–844).

"From all these illustrations, which have been taken almost at random, it appears that the word 'white' has been used in colonial practice, in the federal statutes, and in the publications of the government to designate persons not otherwise classified." "Negroes have never been reckoned white; Indians seldom. At one time Chinese and Japanese were deemed to be white, but are not usually reckoned so to-day." "After the majority of Americans had come to believe that great differences separated the Chinese and later the Japanese from other immigrants, these persons were no longer classified as white; but while the scope of its inclusion has thus been somewhat reduced, 'white' is still the catch-all word which includes all persons not otherwise classified."

In 1873 the General Statutes of the United States underwent a thorough revision, the Act of approval being dated June 22, 1874. Title (Chapter) XXX of the Revised Statutes, dealing

with naturalization, reaffirmed the Act of July 14, 1870, in the following words:

"SEC. 2169. The provisions of this Title shall apply to aliens of African nativity and to persons of African descent."

It was manifestly the intent of Congress to use the terms "aliens of African nativity" and "persons of African descent" in an enlarging and not in a restrictive sense. When, however, it was discovered that the "Revised Statutes" replaced all earlier legislation and were the sole authority for legal practice, it was at once apparent that no provision had been made for the naturalization of any white persons. Those who were being naturalized were receiving citizenship without authority of law! An amending Act was accordingly passed (February 18, 1875) which read:

"The provisions of this Title shall apply to aliens being free white persons and to aliens of African nativity and to persons of African descent." (U. S. Revised Statutes, Title XXX, Section 2169.) Under these laws, therefore, of 1870, 1874, and 1875, it is clear that rights of naturalization were given to every alien otherwise qualified regardless of race. For, as we have seen, they specify or imply only two classes of aliens who are to be naturalized, "Whites" and "Africans." And since "white" is a "catch-all word to include all who are not

otherwise classified," no room is left for race discrimination.

It may be well at this point to instance a few cases of Chinese naturalization. The first application for citizenship by a Chinese seems to have been in 1854. A Chinese was naturalized in New York in 1873. Thirteen applied for citizenship in California in 1876. (*Cf.* Brook's Brief.) According to the census of 1910 (vol. I, p. 1070) there were at that date 1,368 naturalized Chinese and 483 others who had received first papers.

With the development of the agitation against Chinese immigration there went a demand that even those Chinese who might otherwise qualify should not be given citizenship privileges. Congress acceded to this view, and in the law suspending Chinese labor immigration for ten years it provided (May 6, 1882):

> "SEC. 14. That hereafter no State Court or Court of the United States shall admit Chinese to citizenship; and all laws in conflict with this act are hereby repealed."

This law was later (1894) confirmed by a treaty provision, already cited in Chapter III.

This makes it clear that until 1882 the Act of 1875 was regarded by Congress as all-inclusive of races and that *a special Act was needed to exclude Chinese from naturalization.*

No important modifications were made in the laws dealing with naturalization until 1906. At that time the Acts of Congress dealing with details of immigration and naturalization had become so many and so confusing, and the influx of aliens had become so enormous that Congress set up an entirely new and complete set of laws for handling both immigration and naturalization, establishing separate bureaus of immigration and naturalization.

This Act of June 26, 1906, is entitled

"An Act to establish a Bureau of Immigration and Naturalization, and to provide for a uniform rule for the naturalization of aliens."

The law itself is very complete, expressed in about 10,000 words, and describes not only the manner of admission to citizenship, giving the various blank forms to be used, but stating with great precision the qualifications essential for naturalization.

After specifying the courts having jurisdiction, Section 4 provides that "an alien may be admitted to become a citizen of the United States in the following manner and not otherwise," and then, strange to say, not only prescribes the manner but also the qualifications, mental, moral, and others, which the candidate must possess.

The candidate, being not less than eighteen years of age, must declare his intention at least two years prior to admission.

A petition in writing must be filed, signed, and verified, stating full name, residence, occupation, date, and place of birth, place from which he emigrated, date and place of arrival in United States, name of the vessel, time and court where he declared his intention, name of wife, and country of her nativity, place of residence; name, place, birth, and residence of children. He must set forth that he is not a disbeliever in, or opposed to, organized government, or a member of, or affiliated with, any organization teaching disbelief in, or opposed to, organized government, or a polygamist or believer in polygamy, and his intention to become a citizen and to renounce allegiance to any foreign prince, potentate, state, or sovereignty of which he may be a subject,

"and every fact material to his naturalization and required to be proved upon the final hearing of his application."

Provision is also made for affidavits of two credible witnesses who have personal knowledge of petitioner.

It must appear to the court that the alien has resided continuously in the United States for five years, and in the State territory concerned for one year, and has behaved as a man of good moral character, attached to the principles of the Constitution, and well disposed to the good order and happiness of the same; with the testimony of at least

two witnesses on the facts of residence, moral character, and occupation.

He must renounce any hereditary title or order of nobility.

Section 7 states certain negative qualifications that are essential; namely, that he is not a disbeliever in organized government, an anarchist, or a polygamist.

Section 8 requires that he shall be able to speak English.

These many minute specifications imply that they constitute "every fact material to naturalization and required to be proved upon the final hearing."

In all this there is not one single reference to race either by name or color.

Comparing the qualifications for naturalization established by this Act of June 29, 1906, with the provisions for the exclusion of certain classes of aliens in the successive laws dealing with immigration, it is clear that Congress intended to exclude from the country those whom it regarded as not fit for citizenship.

Such are the main features of the law under which naturalization is now being granted.[1]

If, then, the law provides for the naturalization of "white persons" and "Africans" and denies it only to Chinese, that is to say, if the law provides for the

[1] For this summary we are indebted to the "Ozawa Brief," prepared by Withington and Lightfoot.

naturalization of *all except Chinese,* how has it come to pass that such is not the interpretation and practice of the bureau and of the courts?

The explanation of this situation seems to be as follows:

The Act of June 29, 1906, provided for the repeal of Sections 2165, 2167, 2168, and 2173 of Title XXX, thus leaving unrepealed the famous Section 2169, which authorizes the naturalization of "white persons," and persons of African "nativity" or "descent." It was therefore naturally assumed that that section constituted one of the provisions regulating naturalization. When the Bureau of Naturalization printed its manual of instruction to clerks of court giving the laws and regulations to be followed by them, Section 2169 was naturally included. And among the *Regulations* was one (No. 21) requiring that "clerks of court shall not receive declarations of intention, or file petitions for naturalization from other aliens than white persons and persons of African nativity or of African descent. Any alien other than a Chinese person, who claims that he is a white person in the sense in which that term is used in Section 2169, Revised Statutes, should be allowed, if he insists upon it after an explanation is made showing him the risk of denial, to file his declaration or his petition, as the case may be, leaving the issue to be determined by the court."

This action of the bureau was, however, not wholly arbitrary, for after the passage of the Chinese exclusion law (1882) a strong tendency had already developed in the courts of confounding Chinese with Mongolian, contrasting them with Caucasians, and of including Japanese among Mongolians. The Chinese exclusion law, in other words, gave a start to and standing ground for a restrictive interpretation of "white persons."

By these provisions Section 2169 was construed as a limitation of privilege to whites, in a narrow sense, and to Africans, the primary decision as to who are "whites" and "Africans" being left to clerks of court.

It is evident, therefore, from the history of our naturalization legislation that until relatively recent times the question was never raised as to the race significance of the term "white person." Nobody ever thought of defining it as "Caucasian" until Asiatics from east Asia began to appear and an anti-Asiatic movement developed. Desire then arose on the part of some to exclude them.

This is evident, not only from the absence until recently of all discussion as to the race qualification of applicants for citizenship, but also from the fact that men of many races not Caucasian have been and still are freely admitted to citizenship.

According to the popular notion, all the white peoples of Europe to-day are descendants of a single

original white stock, and are, therefore, racially speaking, cousins. Similarly all modern Asiatic peoples are supposed to have descended from a common ancestral yellow stock and are cousins among themselves. All forms, likewise, of the Negro race to-day came, it is assumed, from a single black ancestral stock, and the various brown and red skinned stocks respectively.

On the basis of this assumed propinquity of blood-kinship, each separate people is popularly supposed to possess special capacity of assimilation with near-by related peoples of the same color, and lack of such capacity for assimilation with those not so related.

Modern students, however, do not accept the "common sense" anthropology and psychology sketched above. They do not recognize an original single "white stock," all of whose divergent descendants are "white." Although the race classification of the human race by color may be popular and in some respects convenient, it is far from accurate. Accuracy requires the terms "European," "Asiatic," "African"; *i. e.*, geographical terms which do not distinguish races; or Teutonic, Celtic, Semitic, Græco-Latin, Scandinavian, Chinese, Japanese, Malay, Negro, etc. Color is a function of climate, not of race.

The confusion of "common sense" anthropology and even of the Census Bureau becomes strikingly

clear when the details of their classification are examined.

The census, for instance, of 1910 (vol. I, p. 975) gives the following classification and respective numbers of various elements of the "foreign white stock" of the population of the United States. It includes in the "foreign white stock" all white persons of foreign birth and all white persons having parents "one or both of whom were foreign born."

English and Celtic	10,037,420
Germanic (German, Dutch, and Flemish)	9,187,007
Scandinavian (Swedish, Norwegian, and Danish)	2,902,196
Latin and Greek (Italian, French, Spanish, Portuguese, Roumanian, Greek)	4,279,560
Slavic and Lettic (Polish, Bohemian, Slovak, Russian, Ruthenian, Slovenian, Serbo-Croatian, Bulgarian, Lithuanian, etc.)	3,240,467
Unclassified and Unknown	2,283,688
Yiddish and Hebrew	1,676,762
Magyar (Hungarian)	320,893
Finnish	200,688
Armenian	30,621
Syrian and Arabic	46,727
Turkish	5,441
Albanian	2,366

An inspection of this table shows us that of our so-called "foreign white stock" about 30,000,000 are so-called "Caucasian" and over 2,000,000 (Magyar, Semitic, Syrian, Turkish, and others) in reality are Asiatic. In spite of their Asiatic ancestry, they are all classed by our Census Bureau and by "common

sense" anthropology as "foreign white stock," and are excluded from the group classed as "Asiatic."

But is citizenship being actually granted to these people of Asiatic ancestry? Yes, it is, and without question being raised in regard to it.

The census report (1910, vol. I, p. 1082) gives a statistical classification of foreign-born white males twenty-one years of age and over according to their citizenship and country of birth, specifying how many have been naturalized. The following table presents the statistics of "foreign-born white," some of whom nevertheless have Asiatic ancestry coming to us by way of Europe; those also are included who have come to us from *Mexico* and *South America* who, it is to be noted, are *also* classed as "foreign white stock"!

FOREIGN-BORN WHITE MALES TWENTY-ONE YEARS OF AGE AND OVER

Country	Naturalized	First Papers	Alien	Not Reported	Total
In the U. S. as a whole	3,034,117	570,772	2,266,535	775,393	6,646,817
From Russia	192,264	95,562	385,970	63,824	737,120
From Finland	21,669	11,279	32,458	5,310	70,716
From Hungary	36,610	25,756	174,518	18,960	255,844
From Bulgaria, etc	821	908	14,552	1,243	17,524
From Turkey in Asia	6,940	3,363	19,413	2,975	32,691
From Mexico	10,932	2,358	67,930	20,789	102,009
From Central and South America	1,152	272	1,240	651	3,315

As this table is based not upon race, but upon "country of birth," it does not strictly show race kinship. For instance, not every person born in Russia is a Slav, nor in Hungary a Magyar (Hungarian). The facts, however, are sufficiently clear. Semites (Jews, Syrians, and Arabs), Turks, Finns, and Hungarians, Mexicans and South Americans are all regarded as "white" and are being given citizenship freely and without question.

According to the regular practice, therefore, of our courts, the term "free white person" has been as a rule interpreted liberally.

In the face of these generous practices which have been going on for decades, is it not somewhat absurd that our courts, when dealing with Japanese, should now hold that "free white person" is to be interpreted narrowly so as to include only Caucasians or Arians?

Further reason for holding that "free white person" is a general inclusive term, not a specifically defined inclusive and exclusive term, is found in the difficulties experienced by the courts in striving to administer the law since the adoption of the latter interpretation. This difficulty and the resulting confusion were carefully discussed (June 24, 1913) by Judge Smith, of the East District Court of South Carolina, in the case Ex parte Shahid (205 Fed. 812). After asking what a "white" person is, what an "alien of African nativ-

ity" is (would a Chinese born in Africa come under this head?), and what a "person of African descent" is (would a person one-half or one-quarter or three-quarters Negro, but born in China or Japan, India or Persia, come under this head?), the learned judge proceeds as follows:

"The language of the statute is about as open to many constructions as it possibly could be. . . . The statute as it stands is most uncertain, ambiguous, and difficult both of construction and application. . . . There have been a number of decisions in which the question (as to the meaning of 'white person') has been treated and the conclusions arrived at in them are as unsatisfactory as they are varying. After considering them all in an attempt to evolve, if possible, some definite rule for judicial decision, the conclusion that this court has arrived at is as follows:

"That the meaning of 'free white persons' is to be such as would naturally have been given to it when used in the first Naturalization Act of 1790—*i. e.*, 'persons belonging to the European races.' . . . It would not mean a 'Caucasian Race' . . . nor would it mean an 'Arian Race,' a word practically unknown to common usage in 1790. . . . It would not mean 'Indo-European' races as sometimes ethnologically at the present day defined, as including the present mixed Indo-European, Hindu, Malay, and Dravidian inhabitants of East India and Ceylon; nor the peoples who inhabit Persia. It would mean such persons as were in 1790 known as white Europeans with their descendants in other countries to which they have emigrated. It includes all European Jews . . . more or less intermixed with

peoples of Celtic, Scandinavian, Teutonic, Iberian, Latin, Greek, and Slavic descent. It includes Magyars, Lapps, and Finns who are of Ugric stock, and the Basques and Albanians. It includes the mixed Latin, Celtic-Iberian, and Moorish inhabitants of Spain and Portugal, the mixed Greek, Latin, Phœnician, and North African inhabitants of Sicily, and the mixed Slav and Tartar inhabitants of South Russia.

"To say that a very dark brown, almost black, inhabitant of India is entitled to rank as a white person because of a possible or hypothetical infusion of white blood thirty or forty centuries old, and to exclude a Chinese or a Japanese whose parent, on one side was white, and who thus possesses manifestly at least one-half European blood, would seem highly inconsistent.

"One Syrian may be of pure, or almost pure Jewish, Turkish, or Greek blood, and another the pure-blooded descendant of an Egyptian, an Abyssinian, or a Sudanese. How is the court to decide. It would be most unfortunate if the matter were left to the conclusions of a judge based on ocular inspection. . . . Under the construction of the statute above fixed, a modern Syrian of Asiatic birth and descent would not be entitled . . . to be naturalized as a citizen of the United States."

Let us now note that Syrians have, nevertheless, been admitted to citizenship by action of the courts (174 Fed. 735, December 1, 1909, and 179 Fed. 1002, July 11, 1910). And Hindus also (*In re* U. S. *vs.* Dolla, 1910, 177 Fed. 101, and *In re* Mozumdar, 207 Fed. 115, July 11, 1912), and Parsees (*In re* U. S. *vs.* Balsara, 180 Fed. 694, July, 1910).

The Standard citations of Japanese rejections are *In re* Saito, 62 Fed. 126, June 24, 1894, and *In re* Young, 195 Fed. 645, April 24, 1912. But it is important to note that many Japanese have also been admitted to citizenship. According to the census of 1910 (vol. I, p. 1070) 420 Japanese are recorded as having been naturalized, and 387 as possessing first papers at the time of the census.

The distinguished international lawyer, author, and editor, Musuji Miyakawa, holding the degree of LL.D. from the Indiana State University, was admitted to citizenship by Honorable James B. Wilson, judge in the Monroe Circuit Court of the State of Indiana, October 9, 1905. Tanean Matsu Matsuki also was given citizenship by naturalization in the United States District Court, of the Northern District of Florida, April 9, 1907, by the Honorable Charles Swayne, judge.

Certain Japanese who had already been granted citizenship have had that status revoked. Mr. Takuji Yamashita, for instance, was given citizenship papers on May 14, 1902, by the Superior Court of the State of Washington. He later applied for admission to the bar as an attorney in the State of Washington. It was held that the court which had previously granted him his citizenship papers had exceeded its powers, and, therefore, not only was his application refused, but his citizenship papers revoked (59 L. R. A. 671, 70 Pac. 482).

The reason given by the court for refusing naturalization to Shibata Saito was that "he was of the Mongolian race and that the term 'white person' excluded the Mongolian race" (62 Fed. 126), in spite of the fact that the laws nowhere mention Mongolians. The naturalization laws deal exclusively with "free white persons," persons of "African birth" or "descent," and "Chinese." The only law excluding any person by race, as already stated, refers to Chinese.

We have already referred to the regulation requiring clerks of court to refuse applications from any aliens save "whites" and "Africans." Such an order, however, could have been considered necessary only on the supposition that the clerks were receiving applications and the courts were giving naturalization to those whom the strict constructionists did not regard as "free white persons."

The courts, moreover, have deliberately granted citizenship in spite of their own admission that the applicant was neither white nor African! A striking case is that of the Mexican Rodriguez (81 Fed. 337). He was able neither to read nor write, nor did he understand the Constitution, but being peaceable, industrious, law-abiding, and of good moral character, he was admitted. The court held that though he was "debarred by the strict letter of the law from receiving citizenship," yet he was in fact "embraced within the intent and meaning of the statute." "If he falls within the intent and mean-

ing of the law, his application should be granted, notwithstanding the letter of the statute may be against him," for "whatever might be his status viewed solely from the standpoint of the ethnologist, a Mexican is embraced within the intent of our naturalization laws!"

"The Utah court held that a Hawaiian, not being of the Caucasian or white race, or of the African race, was excluded. The court seemed to include the Hawaiians as Mongolians. (*In re* Kanaka Nian, 6 Utah 259, 21 Pac. 993); Judge Maxey admitted a copper-colored Mexican, who apparently was an Indian of unmixed blood, holding that Judge Sawyer's decision might well be limited to members of the Mongolian race, and while the applicant would not be, by any strict scientific classification, classed as white, he fell within the liberal intent of the statute, as shown by the course of the United States Government in annexation and treaty, citing Lynch *vs.* Clarke as to the liberal policy (*In re* Rodriguez, 81 Fed. 337). Judge Maxey cites the Acts establishing territorial government for New Mexico and Utah, each of which use the expression 'free white' to describe those entitled to vote, but which in the same section clearly recognize, as included in that definition, Mexicans who are not white or of the Caucasian race (p. 352).

"The policy of the United States has been to include into its citizenship by annexation vast numbers of members of races not Caucasian, including many Mongolian. The annexation of Hawaii converted thousands of Japanese, not to mention other nationalities, into American citizens."[1]

[1] Brief Ozawa *vs.* United States Ninth Circuit Court, pp. 66–67.

This confusion is perhaps greatest in the decisions respecting applicants for naturalization coming from colonies ceded to us by Spain after the war of 1898. It has been held that a Filipino was ineligible to citizenship in the United States—although a "citizen of the Philippine Islands," whatever that may mean (*In re* Alverto). And exactly the contrary has also been held (*In re* Mallari). These decisions are based on the construction of a special section in the Act of 1906, and stand somewhat to one side of the present discussion. They serve, however, to emphasize the practical difficulties of making racial ancestry a test of admissibility. If the excluding decisions be correct, the result is to establish an inferior class among persons born under our flag and owing allegiance to the United States. If the contrary decisions are correct, Chinese and Japanese can be admitted to citizenship if they happen to be born in a dependency. Of course, if born in this country, of parents domiciled here, they are natural-born citizens, with the same rights as any others.

That Congress has never intended to exclude Japanese from privileges of naturalization is manifest from a consideration not only of the fact that no reference has ever been made to them in connection with the passage of any naturalization laws whatsoever, but also from antecedent probabilities. When the laws of 1870, 1873, and 1875 were passed, Japanese immigration had not yet begun. The

total number of Japanese in America in 1870 was 47, and in 1880 was only 134. The exclusion of Japanese *could* not have been in the mind of any member of Congress. Moreover, as we have already seen, the laws of 1875 were *inclusive* of races, not exclusive.

In 1895 (March 21) a treaty was made with Japan. Four months earlier (December 8, 1894) a treaty had been made with China providing that Chinese

"either permanently or temporarily residing in the United States shall have, for the protection of their persons and property, all the rights that are given by the laws of the United States to citizens of the most favored nation, *excepting the right to become naturalized citizens.*"

The treaty with Japan, however, made no such limitation. It provided that

"the citizens or subjects of each of the two high contracting parties shall have full liberty to enter, travel, or reside in any part of the territories of the other contracting party, and shall enjoy full and perfect protection for their persons and property."

Comparison of these two paragraphs shows that the "right to become naturalized citizens" is by implication included in the rights given to aliens "for the protection of their persons and property." Experience, moreover, justifies this implication. In a democracy like America neither the persons nor the property of "aliens ineligible for naturalization"

is as safe as the persons and property of eligible aliens.

When the "uniform rule" of June 29, 1906, was passed, Japan had just finished her victorious war with Russia and was at the very "crest of the wave" of her popularity and friendship in the United States. At such a time it is inconceivable that Congress, without cause (for the difficulties in California first became acute late in 1907), would have enacted a law "intending to affront one of the most sensitive, warlike, and progressive nations on the face of the earth by declaring that its members were not fit for American citizenship." [1]

In the thoroughgoing survey of this entire question presented in his brief on the Ozawa case, Mr. Withington comes to the conclusion that "white persons" means those persons who are "fit for citizenship and of the kind admitted to citizenship by the policy of the United States."[2]

Even so recently as February, 1917, when Congress passed the most drastic and exclusive immigration laws that have ever been enacted in the United States, it took particular pains not to enact any phrase possibly implying Japanese ineligibility for citizenship. A phrase that might perhaps be so interpreted was deliberately dropped at the request of the Department of State (which had received a protest from the Japanese Government), and a

[1] "Ozawa Brief," p. 30.

[2] P. 67.

clause was inserted in its place specifying by latitude and longitude those to whom immigration would be refused. The debates in Congress in connection with that bill show how solicitous its members were to avoid even a possible implication that Japanese were an inferior people, unfit for our life and, therefore, ineligible for naturalization.

Historically speaking, therefore, and also in the major part of the practice of our courts, the term "free white person" in our naturalization law is an inclusive, not an exclusive term. It includes all races except the black and others that may be specifically mentioned. When slavery ceased, citizenship by naturalization was "extended to aliens of African nativity and persons of African descent." The implicit intention evidently was to grant the privilege of citizenship by naturalization to all races—from the extreme white to the extreme black.

With the advent, however, of Chinese and Japanese immigration, a new problem has arisen that had not been considered either in 1790, when the first law of naturalization was passed, nor at any later date, even in 1870, when the law of naturalization was "extended" to include Africans. Under the stress of the new situation caused by Asiatic immigration and an anti-Asiatic movement a tendency has recently developed, and has been officially authorized by the courts, to interpret the term "free white person" in a narrow and exclusive sense when

it comes to dealing with Asiatics coming directly from east Asia. The thought has not yet occurred to interpret it strictly in dealing with Asiatics who come to us by way of Europe (Turks, Huns, Finns, Syrians, Persians, Hindus, Semites).

When the courts began to apply the narrower interpretation of "white" to the races they soon found themselves in immense confusion. Some strove to use it as a term distinctive of race, others as a term distinctive of color, and still others as a term distinctive of geographical locality.

In view of the confusion disclosed above it is time for a full, fresh, and frank discussion of the attitude that America should take to the various races of mankind. What exactly are the fundamental ideals and principles upon which the United States has been founded? Are they ideals and principles that we should carry out, or should we modify them?

Whether or not the privileges of naturalization should be granted to Asiatics and to men of every race entirely upon personal qualifications, and regardless of race, is a problem that should be argued on the broadest grounds and from the widest outlook. Even if it could be conclusively shown that "free white persons" in the original law was specifically intended to include Asiatics, that would not be a reason for granting them those privileges if the reasons against it now are sound. And conversely, even though the founders of our republic

consciously intended to exclude every race save European whites, that should not prevent us from broadening our outlook and treatment of the great races of Asia, should the new era of human history upon which mankind is rapidly entering require it.

In view of the modern world as described in our first chapter, and of the many facts and considerations presented in this and the intervening chapters, we contend that the time has come for the United States to adopt a new policy in regard both to immigration and to naturalization. Let us establish the rigid regulation of immigration from every country, fixing the annual maximum permissible immigration on the basis of their Americanization. Let us establish high standards of naturalization and provide for their strict administration. On the basis of this rigid regulation of immigration and naturalization, let us amend our laws dealing with eligibility for citizenship so as to give this privilege to every individual who qualifies regardless of his race or place of birth.

Such a policy as this, we contend, is required by American ideals of thoroughgoing democracy. To the consideration of this contention the following chapter is devoted.

NOTE: The author is indebted to the "Ozawa Brief" for many important suggestions. Mr. Ozawa took out his first papers in California in 1902 and applied for naturalization in Honolulu in 1915. Upon refusal, at the recommendation of the local court he appealed to the Ninth Circuit Court. This Brief argues that the Act of 1906 is a "uniform rule" and is not controlled by Section 2169, which section applies only to those "specially excepted classes provided for in the unrepealed sections in Title XXX." The case has already gone to the Supreme Court but is not likely to be taken up before the autumn of 1918.

CHAPTER VI

DEMOCRACY AND CITIZENSHIP

NEW JAPAN and New China have rendered obsolete the past policies of the United States in dealing with those peoples. In seeking, however, to formulate the nature and the specific forms of the new policy now needed, many principles and factors must be kept in mind.

The new policy must be in harmony with the fundamental principles of the Constitution of the United States no less than with the general principles of human right and justice. The United States is engaged in one of the most important experiments in government that has ever been made—democracy. We are under obligations not only in loyalty to our ancestors to carry through this experiment to genuine and full success, but we are under still greater obligations to our descendants and, indeed, to all the world; for their permanent weal or woe depends in no slight degree on the success or failure of our experiment.

We are under obligations, therefore, to eliminate just so far as we possibly can those factors that threaten its success. Beyond question one of the most important and difficult of these factors is that

of race. Democracy among a people thoroughly homogeneous as to race is difficult enough even at the best. Where different peoples and races are involved the difficulty is vastly increased. This is one of the difficulties with which we are faced to-day.

How shall we deal with it? No more important practical question at present confronts our statesmen, our legislators, and the rank and file of our citizenship; for in a democracy every citizen has his responsibility in shaping its policies and in framing its laws.

Now that the world has become so small and all its parts so wonderfully accessible each to the other; now that its commercial and industrial unity has become so intricate and interdependent; now that each important race and people has developed not only self-consciousness, but amazing powers of expansion, the problems of race loom up as never before in human history.

If America, with its vast and imperfectly assimilated populations of diverse peoples from Europe and Africa, west Asia and Mexico, is to make a success of its democracy, she must understand her problem more clearly, and with adequate principles and convictions she must grapple with it intelligently.

What, then, are the fundamental principles and ideals upon which the republic of the United States was founded, by which it lives, and upon the thorough application of which alone it can prosper?

"We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain inalienable rights, that among these are life, liberty, and the pursuit of happiness. That to secure these rights, governments are instituted among men, deriving their just powers from the consent of the governed."

So spoke the founders of the republic in their historic "Declaration of Independence." The Constitution of the United States sought to embody these fundamental principles in concrete form. Elaborate provisions were made for representative government by which not only to secure for assured majorities the final right to direct the government, but also to secure to minorities and especially to individuals their inalienable rights and liberties, which no majorities might take away. As time went on, however, a profound divergence of opinion and practice developed in regard to the Negro. A great civil war was fought over two fundamental questions—

First: Are we a true nation or a loose federation from which States may secede at will?

Second: Is our government to be thoroughly and genuinely democratic, or is it to be aristocratic?

From the midst of that war there came an ever-memorable utterance calling the nation back to its ideal. "Four score and seven years ago," said our great President of the Civil War, "our forefathers

brought forth on this continent a new nation, dedicated to the proposition that all men are created equal."

And after the war was over important amendments were made to the Constitution, and to the laws of the United States, seeking to express more adequately and to embody more perfectly in the fundamental law of the land the ideals and principles upon which this nation was established. Among the most important of these were the Thirteenth, Fourteenth, and Fifteenth Amendments to the Constitution, and the amendment of the law specifying who were eligible for citizenship by naturalization.

The Thirteenth Amendment forbade slavery and involuntary servitude.

The Fourteenth Amendment provided that "All persons born or naturalized in the United States and subject to the jurisdiction thereof are citizens of the United States and of the State wherein they reside. No State shall make or indorse any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws."

And the Fifteenth Amendment provided that "the rights of citizens of the United States to vote shall not be denied or abridged by the United States

or by any State, on account of race, color or previous condition of servitude."

The amendment of the law in regard to naturalization provides (July 14, 1870) that "the Naturalization laws are hereby extended to aliens of African nativity and to persons of African descent."

These citations from the fundamental laws of the land establish the following as the general principles and ideals of our government:

1. All men, regardless of race or place of birth, are created equal.

2. They are endowed by their Creator with certain rights that are inalienable; that is, rights which belong to them as persons regardless of race; rights, moreover, which governments do not create.

3. Governments may not pass laws that arbitrarily or wantonly interfere with or abridge these inalienable rights.

4. All persons, regardless of race, if born in the United States, are by that fact alone citizens of the United States, and of the State in which they reside.

5. All citizens of the United States, regardless of race, are entitled to vote, which right "shall not be denied or abridged by the United States" as a whole nor by any individual State "on account of race, color or previous condition of servitude."

6. All persons in the United States and subject to its jurisdiction, whatever be their race, and whether

or not they are citizens of the United States, are entitled to "the equal protection of the laws."

7. Neither our Constitution, our laws, nor our general system and theory of government contemplate the presence among us of a permanent, alien population, ineligible for citizenship. Our entire political structure rests upon the assumption that all adult males are possessed of the suffrage. Many States now include all adult females among those who have suffrage rights.

8. And finally, since the Civil War, and especially since 1870, when naturalization privileges were "extended" to persons of African birth or descent, the implicit assumption of previous decades has become more pronounced that any man who will qualify for citizenship may secure that privilege.

Light may also be thrown on the subject of this chapter from certain sections of our treaties with China.

The treaty commonly known as the "Burlingame Treaty" (1868), already quoted in Chapter III, contained three articles of special significance in this connection. They contain "a strong recognition of the inherent and inalienable rights of man to change his home and his allegiance." This treaty "was regarded by the whole nation as a grand triumph of American diplomacy and principles, and Mr. Burlingame, on his return to San Francisco, received an extraordinary ovation as a benefactor

of his country . . . and for having secured from China a recognition of what many called the great 'American doctrine' of the inherent and inalienable right of man to change his home and his allegiance."

When the question of restricting Chinese immigration to the United States was under discussion in Congress, Senator Oliver P. Morton delivered a notable address on the bearing of the theory and practice of our government upon the proposed prohibition. From that valuable discussion I take the following suggestive paragraphs:

"It is our proudest boast that American institutions are not arbitrary in their character; are not the simple creations of force and circumstance, but based upon great and eternal doctrines of the equality and natural rights of men. The foundation-stone in our political edifice is the declaration that all men are equal; that they are endowed by their Creator with inalienable rights; that among these are life, liberty, and the pursuit of happiness; that to obtain these, governments are instituted among men, deriving their just powers from the consent of the governed."

"The limitation of the right to become naturalized to white persons was placed in the law when slavery was a controlling influence in our government, was maintained by the power of that institution, and is now retained by the lingering prejudices growing out of it. After having abolished slavery and by amendments to our Constitution and the enactment of various statutes establishing the equal civil and political rights of all men, without regard to race or

color, and, at a time when we are endeavoring to overcome the prejudices of education and of race, and to secure to colored men the equal enjoyment of their rights, it would be inconsistent and unsound policy to renew and reassert the prejudices against race."

"As Americans, standing upon the great doctrine to which I have referred, and seeking to educate the masses into their belief, and charged with the administration of the laws by which equal rights and protection shall be extended to all races and conditions, we cannot now safely take a new departure which, in another form, shall resurrect and re-establish those odious distinctions of race which brought upon us the late Civil War, and from which we fondly hoped that God in his providence had delivered us forever."

"But before entering upon the discussion of any other principles, I may be permitted to observe that, in my judgment, the Chinese cannot be protected in the Pacific States while remaining in their alien condition. Without representation in the legislature or Congress, without a voice in the selection of officers, and surrounded by fierce and, in many respects, unscrupulous enemies, the law will be found insufficient to screen them from persecution. Complete protection can be given them only by allowing them to become citizens and acquire the right of suffrage, when their votes would become important in elections, and their persecutions, in great part, converted into kindly solicitation."[1]

After these words were uttered, and in spite of their solemn warning, the anti-Chinese movement in the United States grew to such proportions that,

[1] Forty-fifth Congress, 2d Session, *Senate Misc. Doc.*, 20.

not only was Chinese immigration stopped and citizenship forbidden by special Act of Congress, in 1882, but later legislation became so drastic that its constitutionality and harmony with the treaty was, as we saw in the preceding chapter, tested by Chinese appeal to our courts.

For more than thirty years now the situation of the Chinese in the United States has been humiliating to them and shameful for us. We have been flagrantly disregarding fundamental principles of our national life, throwing doubt on our loyalty to those principles, and raising the question whether or not we shall be able to carry out to their completion the splendid democratic ideals of our forefathers.

Recent events, however, have served to accentuate afresh our national ideals. We have entered the world war "to make the world safe for democracy," to use President Wilson's memorable phrase. His great war "Message" of April 2, 1917, throws no little light on the principles and ideals upon which this nation was founded and for which it to-day stands before the world in a new way.

"But the right is more precious than peace, and we shall fight for the things which we have always carried nearest our hearts—for democracy, for the right of those who submit to authority to have a voice in their own governments, for the rights and liberties of small nations, for a universal dominion of right by such a concert of free peoples as shall bring

peace and safety to all nations and make the world itself at last free."

"To such a task we can dedicate our lives and our fortunes, everything that we are and everything that we have, with the pride of those who know that the day has come when America is privileged to spend her blood and her might for the principles that gave her birth and happiness, and the peace which she has treasured. God helping her, she can do no other."

In these ringing words and in many others equally impressive and incisive our great President has stressed again and again our fundamental national ideals of "right" and "justice," of "liberty" and "democracy," of fair dealing and truthfulness, denouncing national deceit, arbitrariness, selfishness, and autocracy.

But is it not clear that, if "the world is to be made safe for democracy," democracies must themselves carry out their fundamental principles in dealing with minorities, especially when they consist of aliens? Do aliens have "inalienable rights"? What are they? How may they be secured in law and in practice?

These are questions of increasingly pressing insistence and importance, now that the world has grown so small and the increasing contact of peoples and races has become so intimate and intricate. Can democracy be permanently maintained and made safe for the world unless the rights of minorities

and of aliens within each democracy are safeguarded? Can America expect Austria-Hungary, the Balkan States, Turkey, or even Germany to treat fairly their respective minorities if America cannot, or will not, herself do so?

China and Russia are fairly started on their experiments in democracy. Shall America set them an example of fair dealing with race minorities and point the only road that can possibly lead to success, through a thoroughgoing application of the fundamental principles of democracy, or shall America prove a blind guide, stumbling along a devious path of arrogance, selfishness, and injustice in dealing with alien minorities, a path that leads inevitably to ever-recurring race conflicts and tragedies?

These are the alternatives confronting us to-day.

We turn next to the question of the rights and duties of nations as related especially to problems raised by race difference and immigration.

CHAPTER VII

THE RIGHTS AND DUTIES OF NATIONS

RACE difference, race pride, and race prejudice are closely interrelated. They are, moreover, physiological and psychological facts of immense importance in human life. So long as races remained in their natural homes these facts constituted no special problem. The problem arises when trade and immigrations develop. So long as races continue and have intercourse, race difference, pride, and prejudice will constitute important factors in their activities and history.

A new era, however, has begun. Geographical barriers between races have disappeared. Multitudinous varieties of mankind are not only face to face economically and politically, but are rapidly intermixing their populations. Economic necessities, opportunities, and ambitions are carrying multitudes of one people into the lands of other peoples. Problems of a serious nature are thus arising.

Whereas in ancient times the conquest of one people by another took place by means of superior martial force, such conquest may now be made by the mere fact of migration. New England furnishes a striking illustration of this latter method in process of realization.

In the light of this modern situation due to vanished geographical barriers and to easy migrations of races, what are the rights and the duties of nations? Has any people an inherent right to migrate where it will regardless of previous occupants? And has any people a right to possess in selfishness its own vast, fertile, and sparsely settled territory, and to exclude immigrants from lands heavily peopled and possessing slight natural resources?

A full discussion of this intricate question, however, is no part of the plan of this volume. We desire merely to state in briefest, and therefore it must be in dogmatic, form the principal positions which are felt to be both right and necessary. The following principles as to the rights and duties of nations seem to be self-evident:

1. Races and peoples have certain inherent and inalienable rights, such as the rights to life, to liberty, to growth, and to the determination and pursuit of their own cultural ends.

2. These rights, however, are subject to the limitations of good-neighborliness. And, in these modern days, all nations and races are neighbors and should be neighborly.

3. Races and peoples have also certain inescapable duties. No longer are they free to carry on their lives in total disregard of the interests and needs of others. They are in fact members one of an-

other. None liveth to himself alone. The strong should bear the burdens of the weak. Those that are advanced must in patience and good-will aid those that are backward and undeveloped.

4. Each nation and people should keep order and administer even-handed justice to all within its jurisdiction—to citizens and to aliens alike. Failure in this limits, and may in extreme cases suspend, the right to liberty and may impose the duty upon some neighbor or neighbors of taking control of the government which fails to perform its duty.

5. No nation has the right selfishly to close its doors completely and absolutely against the rest, whether collectively or discriminatively. For no single people is complete in itself. Each needs all the rest for its own fullest life, and each has its duty to all. The mutual interchange of industrial products and cultural achievements is essential for mutual welfare.

6. Each nation is entitled to establish such restrictions of trade or migration as threaten economic, industrial, political, or social disaster. Such trade and migration as do not harm its neighbors are inalienable rights of each people.

7. In the past, each people has been its own sole judge as to what trade and what immigration are desirable and what are harmful. Each has decided these questions from entirely selfish considerations. The time has come when these matters should be

settled by mutual conference, guided by principles of mutual consideration and the highest welfare of the whole. Should not all legislation of any nation, restricting within its territory the privileges of others, receive for final sanction the approval of an international commission?

8. Immigrants who go to a land practically unpossessed by a people having settled government may properly regard themselves as colonists and their new territory as an acquisition for their people and government.

9. Immigrants, however, who go to a land already effectively possessed and governed are not entitled to regard themselves as colonists. It is their duty, if they plan to stay permanently in their new home, to adapt themselves to the life of its people and to be assimilated to the same.

10. Any people receiving alien immigrants has the right to limit such immigration to a point of efficient assimilation, thus avoiding the dangers and difficulties inevitable when large groups of peoples of different customs, language, ideas, and religion occupy a common territory.

11. Immigrants to any land, lawfully admitted, can rightly claim a treatment that is friendly and fair. Aliens may not seek to upset the government nor to injure the economic conditions of the land where they are guests, nor may they claim as an inherent right a share in its government.

12. A nation admitting to its territory immigrants from different peoples and races is under obligation to give them equal treatment and opportunity. Discrimination of privileges, granting to individuals of one people what is denied to individuals of another people, a discrimination based exclusively on race difference, cannot fail to be regarded as unfair and unjust.

The above paragraphs do not, of course, cover the whole range of the rights and duties of nations and peoples, but they indicate sufficiently the general principles that seem to the writer to underlie the right relations of peoples in regard to immigration and, in a democracy like the United States, to naturalization.

In general, the policy to be more completely stated in the next chapter rests upon the assumption that a nation (in this case the United States) has the inherent right to restrict immigration from any and every people, which threatens to bring harm either economic, political, or social. To those immigrants whom it has permitted to enter, it is, however, under obligations to give, regardless of their race, a fair opportunity and a square deal. It should help them to make good. It should help them to fit themselves into the life of the land they have adopted.

For its own sake, a country like America, which is the Eldorado now of all peoples and races of the earth, should so regulate immigration as to prevent

the coming of more than can be properly Americanized. The degree and the rapidity of the Americanization of those already admitted from any particular people or race should be the gauge by which to reckon the number of newcomers that may annually be admitted from that same race or people.

Having admitted immigrants from various races and peoples, America is under moral obligations to give them such opportunity and treatment as will incorporate them most wholesomely and rapidly into their new home. This means a treatment free from race discrimination. Such a policy and method are not only matters of right and duty, but are also matters of enlightened self-interest.

A more detailed statement of this policy and programme we give in the following chapter. This, however, is the fitting place in which to consider the claims of those alien races which ask for free, or at least for large, immigration to this land.

Many Japanese, for instance, find difficulty in seeing in American rejection of free Asiatic immigration any reason but that of selfishness and race prejudice. Their argument runs somewhat as follows: If Europeans had the right two and three hundred years ago to enter America freely in spite of the presence of Indians, and if unlimited immigration is allowed to-day from any land of Europe, and from any class of its people, have not Japanese the same inherent right to come to this land? Does

not Japan's heavy population of nearly 400 to the square mile give her an inherent right to send her emigrants to a land whose population is less than 40, and large sections of it less than 10, to the square mile?

These are confessedly difficult questions of international rights and duties. It is no part of our purpose to defend the selfish and oftentimes ruthless aggressions of Europeans in the early invasion of this continent. The wrong, however, consisted not in their coming, but in their treatment of the native populations.

Japanese, defending their case, urge that their immigrants to this land are not inferior to those whom we freely admit from south and east Europe. This is now readily admitted by most Americans. Many, indeed, acknowledge that Japanese immigrants are probably superior in intelligence, in diligence, in sobriety, in reliability, and in thrift to those who come from south and east Europe.

If this is a fact, is not American refusal to admit them in unlimited numbers an expression of race selfishness and race prejudice? What reply can be made to these arguments of clear-headed Japanese? The reply would seem to be somewhat as follows:

There are important differences between immigrants from Asia and those from Europe. The vast majority of the latter come to America with their

wives and children to make permanent homes here, surrendering allegiance to their native lands and accepting loyalty to this.

Chinese and Japanese immigrants, on the contrary, have consisted chiefly thus far of transient males. They have come for short periods of work. Their scale of life and their industrial and economic standards have made them formidable foes to the permanent industrial workers of America. This has been probably the main reason why the anti-Asiatic movement has met with such wide-spread indorsement, not only among the working classes, but by practically all classes.

The economic advantage to American employers of labor of that large, efficient, and transient Asiatic immigration is freely admitted by every one. And even now, if Americans could be certain that additional Asiatic immigration would be transient, all of it returning in a few years to Asia, many would favor its generous admission for a while longer because of the important work they could do on railroads and farms as day-laborers.

Americans now see, however, that Asiatic immigrants are ceasing to be transients. They are settling down for permanency here.

During the period of free Chinese immigration (*i. e.*, up to 1882), although about 300,000 men entered this land, less than 9,000 women came with them. Of the Japanese, however, between 1896 and

1908, when the "gentlemen's agreement" put restraint upon immigration from Japan to 126,835 men, as many as 20,687 women were admitted. But even with this relatively large admission of women deplorable sex problems developed, and also violent opposition from those white laborers who had families to support and desired to do so on the American standards of labor and of living. When free labor immigration ceased from China and Japan respectively, whereas the number of Chinese women admitted annually dropped off about one-half, that of Japanese women increased many fold. Facts and figures with regard to these matters will be given in later chapters.

Although the number of Japanese and Chinese in America at present is not large, absolutely, in the minds of thoughtful Americans it raises serious questions that the Japanese themselves cannot easily understand.

The American people have had and still have a problem of the most serious character in the Negro. It is not economic. It is wholly racial, having moral, political, and social aspects of the gravest character. The very foundations of our democracy have been violently shaken by this problem. No one knows what aggravated forms the Negro problem may yet take. It concerns not only questions of political and economic justice in the dealings of the white and Negro races, but questions of sex relations and

of marriage. The tensity of American feeling on these matters is due to the facts of slavery and the Civil War, both of which have had disastrous effects on both races.

Americans look with grave apprehensions, therefore, on the advent of another great race problem through the entrance into our land of yet other races so different from us as are Asiatics. Responsible Americans clearly recognize that the difficulty is due in no small part to Americans themselves. Fair and friendly treatment has not thus far been given to Asiatics. Will our people be persuaded to give it in the future? This unfair treatment has been part cause no doubt of their feelings and attitude toward us and has promoted the formation of their own separate communities. Such separate communities, however, accentuate the difficulty of securing right American treatment. A serious "vicious circle" is developing.

As time goes on will the Japanese and Chinese now here become really and thoroughly assimilated to American life? Will their children and grandchildren really lose their race consciousness as Japanese and Chinese and become genuine Americans? This is what has taken place in regard to the vast majority of the children and grandchildren of British, French, Germans, Italians, Scandinavians, and Slavs, and of all the other peoples of Europe that have come hither. They are, on the whole, so much

alike in appearance that the first generation born and reared in America is completely American in language, ideas, habits, and appearance. There is practically nothing that necessarily and permanently characterizes their race origin and sets them off in a distinct race group. Race or national consciousness vanishes and intermarriage takes place, obliterating still further the slight marks of differentiation.

Can this take place with Japanese, Chinese, or Hindu populations admitted to this country? This is the question that conscientious and patriotic Americans look upon with grave apprehension. If from generation to generation there persist definite race characteristics of skin and hair and eyes, will not race consciousness be also maintained on each side? And in political affairs, will not each distinct race group hang together, each working for its own interests?

Some Americans hold the most definite and fixed convictions on these matters. Many are filled with serious doubts. These convictions, apprehensions, and doubts they insist are not the product of race arrogance, pride, or prejudice, but rest upon observation of the history, past and present, of the ways in which race groups actually work. The relations of whites and Negroes, of Irish, German, and Hebrew groups already formed in certain sections of America, illustrate what they hold would happen in regard to

other peoples and races were they admitted in large numbers.

Moreover, Japanese in Hawaii and also in California they urge have already manifested tendencies along these separatist lines. Buddhist priests from Japan, confusing religion with patriotism, have striven with more or less success to consolidate their peoples by schools and temples, and by the observance of Japanese festivals, holding them thereby to loyalty to Japan. Some Japanese, they point out, regard themselves as colonists, as advance-guards in the expansion of their peoples, to remain forever representatives of their land wherever they may go. If these immigrants were to be here but for a few years and then to return to their native land, no objections could be raised to their maintenance of their patriotism. If, however, they expect to stay permanently here, their attitude and their plans are intolerable. Many Japanese in America already see this problem and are doing much to develop in members of their race in Hawaii and California a spirit of loyalty to America. They work, however, with serious obstacles in the way.

At the close of Chapter II we stated that "if the rigid restriction of immigration from Japan and their exclusion from the privileges of citizenship are really right and necessary, these positions and actions must be based on grounds and carried out by methods that imply neither race arrogance nor race selfishness."

Are not the above considerations valid grounds for establishing the rigid restriction of immigration from peoples so diverse from us as are the Japanese, Chinese, and Hindus? Decades will be needed for us to see whether or not the Japanese population now here is going to enter whole-heartedly into our life, losing itself as a distinct community and race, and become genuinely American, able to co-operate efficiently in this great democratic experiment. The writer believes that they will do their part successfully.

For the success, however, of this experiment with the Japanese and Chinese already here, Americans must of course do their part. We must remove those political restrictions that inevitably set them off as a special class—I refer to the suffrage.

Rigid restriction of immigration and at the same time full privileges of citizenship to those who are admitted to our land, and who duly qualify—these are the conditions under which our democratic experiment can go forward most favorably in this day of large race migrations. Such a policy is not in any degree based on race pride or selfishness. It rests on sound principles of psychology and sociology. It does not ignore Japan's economic problems nor deny the brotherhood of the white and yellow races. Rather it looks forward to the intercourse of a thousand years that lie before us in our international and interracial life, and provides for that

slow but sound process of mutual acquaintance and co-operation that will remove from American minds the insidious thought that slanting eyes and a yellowish skin mean a slippery character and unbridgeable race differences.

A few decades of experience with completely Americanized Chinese and Japanese will show us that our suspicions are groundless and our fears needless. We shall see with our own eyes how splendid is the manhood and womanhood of Japanese and Chinese and other peoples who will take high rank in our business circles, in our colleges and universities, in our churches, and in every walk of life. *But all this can take place only on the condition of rigidly restricted immigration covering many decades, and the granting at the same time of a political status that gives to such of them as do come to us a fair and favorable chance.*

We are now ready to consider in greater detail the policy and the programme advocated in this volume.

CHAPTER VIII

A POLICY AND A PROGRAMME FOR CONSTRUCTIVE IMMIGRATION LEGISLATION

For the solution of the many intricate and highly difficult problems connected with our enormous immigration from many lands, European and Asiatic, we need a comprehensive policy based on correct psychological principles and expressed in a programme that includes many specific details. This policy and programme should provide for:

1. The regulation of all immigration on a common principle.

2. The specific training of all immigrants for citizenship.

3. The giving of citizenship to all who qualify, regardless of race.

If we are to attain the best results we should have a series of bills that deal with all phases of the immigrant question in a systematic, comprehensive, and well co-ordinated plan.

Legislation dealing with these matters should be controlled by the following principles:

1. The United States should so regulate and, where necessary, restrict immigration as to provide that only so many immigrants may be admitted

from any race or people as can be wholesomely Americanized.

2. The number of those who have become Americanized from any race or people affords the best basis of the measure for the further immigration of that people.

3. American standards of living should be protected from the dangerous economic competition of immigrants, whether from Europe or from Asia.

4. Such provisions for the care of aliens residing among us should be made as will promote their rapid and genuine Americanization and thus maintain intact our democratic institutions and national unity.

5. The federal government should be empowered by Congress to protect the lives and property of aliens.

6. All legislation dealing with immigration and with resident aliens should be based on justice and good-will as well as on economic and political considerations.

Important Specifications

1. *Regulation of the Rate of Immigration.*—The maximum permissible annual immigration from any people should be a definite per cent (say 5) of those from that people who have already become naturalized citizens together with all American-born children of immigrants of that people.

2. *A Federal Bureau for the Registration of Aliens.*—A federal bureau for the registration of aliens should be established and all resident aliens should be required to register and to keep registered until they have qualified to become American citizens. A registration fee ($10 or perhaps $5 a year) might well be required of all male aliens eighteen years of age or over.

3. *The Federal Distribution Bureau.*—The Federal Bureau for the Distribution of Immigrants should be developed and provided with increased funds for larger and more effective methods.

4. *A Federal Bureau for the Education of Aliens.*—A federal bureau for the education of aliens for American citizenship should be established. While this bureau should not set up its own schools, its duty should be to promote the establishment by local bodies of suitable schools in needful localities and all registered aliens should be given education for citizenship free of cost. The bureau should be provided with funds for subsidies to be granted to schools upon the fulfilment of conditions prescribed by the bureau. The registration fee of aliens might well be reduced by one dollar ($1) for every examination passed.

5. *Congressional Legislation for the Adequate Protection of Aliens.*—Congress should at once enact a law enabling the federal government to exercise immediate jurisdiction in any case involving the

protection of and justice to aliens. The treaties place this responsibility on the federal government but no laws as yet give it this power. The bill drafted by Honorable William H. Taft and indorsed by the American Bar Association, or some similar bill, should be passed.

6. *Amendment of Naturalization Laws.* — The standards of naturalization should be raised. Only those applicants for naturalization should be regarded as qualified who have passed all the examinations of the schools for citizenship and who have maintained their registration without break from the time of their admittance to America. Under the above conditions and limitations, citizenship should be given to all who qualify.

Such are the main outlines of the proposed constructive policy and programme for the solution of the entire immigration problem, Asiatic as well as European. For a more adequate understanding, however, of this general proposal and in order to remove certain possible misapprehensions and to indicate how certain administrative difficulties may be met we should consider:

A Few Additional Details.—(*a*) The schedule for maximum immigration is to be based for each decade on figures secured from the census. As a rule no change should be made in the schedule between the census periods. With each new census a new sched-

ule should be prepared, but it should not go into operation automatically. Congress should reconsider the whole matter once in ten years upon receiving the figures based upon the new census, and decide either to adopt the new schedule or some new percentage rate, or possibly to continue the same schedule for another decade. This plan does not contemplate automatic, geometrical increase of immigration, either annual or decennial.

(*b*) Provision should be made for certain excepted classes. Government officials, travellers, and students would, of course, be admitted outside of the fixed schedule figures. Aliens who have already resided in America and taken out their first papers, or who have passed all the required examinations, should also doubtless be admitted freely, regardless of the schedule. Women, and children under fourteen years of age, might also be included among the excepted classes. If thought important, unmarried women twenty-one years of age and over might be subject to the percentage rate. By providing for such exceptions the drastic features of the proposed plan would be largely, perhaps wholly, relieved.

(*c*) Provision should be made if possible to prevent the congestion of a particular people in a single locality. Plans for real distribution should be carefully worked out.

(*d*) Should the restriction required by the five-per-cent plan be regarded as excessively severe, the per-

cent rate could be advanced. In any case it seems desirable that the five-per-cent restriction should be applied only to males fourteen years of age and over, and to unmarried women twenty-one of years age and over.

(*e*) In order that individuals from peoples having no citizens in the United States may not be absolutely excluded, provision might be made for a minimum permissible annual immigration of, say, 500; or possibly 1,000 might be allowed, regardless of the percentage rate.

(*f*) Registration, with payment of the fee, might well be required only of male aliens eighteen years of age and over. Since, however, it is highly desirable that immigrant women also should learn the English language, provision might be made that *all alien women should register without payment of the fee* and be given the privileges of education and of taking the examinations free of cost. This privilege might extend over a period of five years. After passing the examinations there should be no further requirement for registration. If, however, after five years the examinations have not been passed, then they might well be required to pay a registration tax of $6 annually, a reduction of $1 being allowed for every examination passed.

(*g*) In order *to meet special cases and exigencies*, such as religious or political persecutions, war, famine, or flood, provision might well be made to

give special power to the Commissioner of Immigration in consultation with the Commissioner of Labor and one or two other specified high officials to order exceptional treatment.

(*h*) *The proposed policy,* if enacted into law, *would put into the hands of Congress a flexible instrument for the continuous and exact regulation of immigration,* adapting it from time to time to the economic conditions of the country. Is it not important for Congress to take complete and exact control of the situation while the present lull is on and be able to determine what the maximum immigration shall be before we find ourselves overwhelmed with its magnitude? If the post-bellum immigration should prove to be small, a law limiting it to figures proposed by this plan would not restrict it.

(*i*) *An objection* to the proposed plan is raised by some. It is urged that tens of thousands would suffer *the hardship of deportation* because of arrival after the maximum limit has been reached. Such a situation, however, could easily be avoided by a little care in the matter of administration. Provision could be made, for instance, that each of the transportation lines bringing immigrants from any particular land should agree with the immigration office upon the maximum number of immigrants that it may bring to America during the year, the sum total of these agreements being equal to maximum permissible immigration from that particular

land. There would then be no danger of deportation because of excessive immigration. The steamship lines, moreover, would see to it that their immigration accommodation would be continuously occupied throughout the year, avoiding thus a rush during the first two or three months of the year.

(*j*) *A second objection* is raised by some, namely, *the difficulty of selecting the favored ones* in those countries where the restriction would be severe. This difficulty, however, would be completely obviated by the steamship companies themselves. Immigrants would secure passage in the order of their purchase of tickets; first come, first served.

(*k*) In order *to alleviate hardship* as far as possible, might not immigration inspection offices be established in the principal ports of departure, and provision be made that all immigration from specified regions should receive inspection at those offices alone, such inspection to be final?

(*l*) The most searching criticism of the policy and programme here proposed deals with the percentage principle itself. It is said by critics to be mechanical and therefore artificial. Moreover, while it professes to be free from race discrimination, it nevertheless is in fact strongly discriminating, for it seizes for example upon the accident of a small Japanese and Chinese American-born citizenship to enforce an exceedingly rigid restriction of immigrants

from those lands while it permits tens and even hundreds of thousands to come from European lands, merely because their large immigration took place decades ago. The plan, therefore, they urge, cannot be satisfactory to Japan.

These Criticisms Overlook Certain Facts.—The plan takes Americanization as its foundation principle of restriction. Let the critic face this question. Is it, or is it not, true that Americanization of newcomers from any particular land depends in some close way upon the degree of Americanization of those from that land who are already here? Does a new Italian or Japanese immigrant become an American in spirit and in language equally easily and wholesomely whether the Italian or Japanese group with which he is in daily contact is well Americanized, or hardly Americanized at all? Whether they speak and read English easily and are voting citizens, or whether they speak English only smatteringly, read only their own foreign-language papers, and have no voting power or political interests? If the newcomers become Americanized equally easily and rapidly under either set of conditions, then the percentage principle of limitation is artificial and mechanical; otherwise it is sociological and psychological. The writer holds that the restricting of newcomers from any people to some small percentage of those of that people who have already become American citizens is a fundamental psychological

and sociological principle, and that the proposal therefore is neither mechanical nor artificial.

The admission of larger numbers than can be easily Americanized creates and maintains difficulties of many kinds—economic, political, and racial. The welfare of the immigrants themselves and of the American people and the abiding success of our democratic institutions depend upon the proper and rapid Americanization of all who settle permanently in our land.

Another fact to be kept in mind is that *we must start with the present actual situation.* We cannot ignore or go back on history. We can no more rectify the inequalities of past immigration—Japanese or Italian as compared with English, German, and Scandinavian—than we can rectify the accident of an unfortunate grandfather. *We must start our new policy and programme with the situation as it is today.* We should insist that immigration from any land shall not be larger than that which we can Americanize. This requires the admission of immigrants from different lands in *different numbers, but upon the same principle.* This is not "race discrimination" in the usual sense, and in the sense to which Japan raises objection.

The assertion that Japanese will resent this proposal is an assumption based on ignorance. Such a critic fails to understand the essence of Japan's criticism of our present policies. Japan is not de-

manding opportunity for free immigration. But she does earnestly ask for removal of the humiliation of differential treatment on the mere ground of race.

As a matter of fact, Japanese who understand the foregoing proposals do not resent them. If all immigration to America is restricted on the same principle, that which they resent is removed, and they are satisfied. Baron Kato, former minister of foreign affairs, at a dinner of welcome (February 10, 1915) to Professor Shailer Mathews and the writer, who went to Japan as the Christian Embassy of the Federal Council of the Churches of Christ in America to the churches of Japan, said: "We would not mind disabilities if they were equally applicable to all nations. . . . Questions like this require time to settle. . . . At the same time we cannot rest satisfied until this question is finally and properly settled."

It may not be amiss to note that as the decades pass, if those admitted from any specified land and their children chose to become American citizens, the permissible immigration from that particular land will naturally increase decade by decade. The newcomers, however, being always kept at a small percentage of those already Americanized, the objections to and dangers from increasing immigration from that land will be held at a minimum.

Would not the above proposals for a constructive immigration policy and programme co-ordinate,

systematize, and rationalize our entire procedure in dealing with immigration, and solve in a fundamental way its most perplexing difficulties? Such a policy would protect American labor from danger of sudden and excessive immigration from any land. It would promote the wholesome and rapid assimilation of all newcomers. It would regulate the rate of the coming of immigrants from any land by the proven capacity for Americanization of those from that land already here. It would keep the newcomers of each people always a minority of its Americanized citizens. It would be free from every trace of differential race treatment. Our relations with Japan and China would thus be right.

Such a policy, therefore, giving to every people the "most favored nation treatment," would maintain and deepen our international friendship on every side.

Criticism of and suggestions for improving this plan are invited.

Before making up his mind as to the actual practicability of the policy and programme described above, the student will inevitably inquire as to its statistical results. Whether the five-per-cent rate is desirable will depend upon the actual immigration which it would allow. We therefore add as an appendix to this chapter tables and explanations showing just how a five-per-cent immigration law would have affected immigration had it been in force during the five years between 1911 and 1915.

APPENDIX TO CHAPTER VIII

TABLES SHOWING HOW THE FIVE PER CENT RESTRICTION PROPOSAL WOULD HAVE AFFECTED IMMIGRATION FROM JAPAN, CHINA, AND ITALY FOR EACH OF THE FIVE YEARS INDICATED

	TABLE I Aliens Actually Admitted for the Years Indicated; *cf.* Annual Reports of Immigration Bureau					TABLE II The Proposed Five-Per-Cent Standard	
	1	2	3	4	5	6	7
	Non-Immigrants	Immigrants	Children under 14	Women 14 years and over	Men 14 years and over	Maximum Permissible Annual Immigration of Males	Males who would have been excluded
JAPANESE:							
1911.....	1,915	4,575	300	3,011	1,264	1,220	44
1912.....	2,574	6,172	328	4,123	1,721	1,220	501
1913.....	3,370	8,302	437	4,988	2,877	1,220	1,657
1914.....	4,075	8,941	438	5,502	3,001	1,220	1,781
1915.....	3,628	8,609	487	4,693	3,429	1,220	2,209
	15,562	36,599	1,990	22,317	12,292	6,100	6,192
CHINESE:							
1911.....	4,350	1,307	112	165	1,030	1,106	....
1912.....	3,883	1,608	207	201	1,200	1,106	94
1913.....	1,465	2,022	189	303	1,530	1,106	424
1914.....	1,218	2,354	144	276	1,934	1,106	828
1915.....	1,174	2,469	118	267	2,084	1,106	978
	12,090	9,760	770	1,212	7,778	5,530	2,324
ITALIANS:							
1911.....	23,410	189,950	24,071	39,761	126,118	45,768	80,350
1912.....	27,650	162,273	23,114	38,262	100,867	45,768	55,099
1913.....	44,372	274,147	31,550	50,263	192,334	45,768	146,566
1914.....	27,320	296,414	37,711	60,695	198,008	45,768	152,240
1915.....	9,452	57,217	13,272	19,589	24,356	45,768	.....
	132,204	980,001	129,718	208,600	641,683	228,840	434,255

TABLES SHOWING HOW THE FIVE PER CENT RESTRICTION PROPOSAL WOULD HAVE AFFECTED IMMIGRATION FOR THE PERIOD 1911–1915

RACE OR PEOPLE	TABLE III Aliens Actually Admitted during the five years ending June 30, 1915; *cf.* Annual Reports of Immigration Bureau, Tables IV and VII B					TABLE IV The Proposed Five-Per-Cent Standard	
	1	2	3	4	5	6	7
	Non-Immigrants	Immigrants	Female Immigrants 14 years and over	Male Immigrants 14 years and over	Annual Average of Column 4	Maximum Permissible Annual Immigration of Males ‡	Annual Average of Males who would have been excluded
1. African (black)	16,173	34,221	13,042	18,114	3,622	209	3,413
2. Armenian	786	26,384	3,346	21,180	4,236	444	3,792
3. Bohemian and Moravian	2,689	40,332	14,199	18,388	3,677	16,994	.....
4. Bulgarian, Serbian, and Montenegrin	6,301	48,556	3,873	42,506	8,501	†5,601	†19,916
5. Croatian and Slovenian	7,938	125,073	29,088	85,083	17,016	.....	.....
6. Chinese	12,090	9,760	1,212	7,778	1,555	1,106	449
7. Cuban	15,565	17,109	4,297	10,326	2,065	590	1,475
8. Dalmatian, Bosnian, and Herzegovinian	920	18,046	2,169	15,185	3,037	*	.....
9. Dutch and Flemish	16,426	58,545	15,893	30,816	6,163	12,956	.....
10. East Indian	263	1,124	37	1,070	214	*	.....
11. English	166,990	252,877	91,865	119,730	23,946	127,745	.....
12. Finnish	6,387	45,453	16,423	24,956	4,991	5,038	.....
13. French	27,595	87,968	30,525	41,636	8,327	47,735	.....
14. German	79,920	313,279	109,081	148,634	29,726	333,581	.....

15. Greek	10,690	168,299	15,833	145,859	29,171	886	28,285
16. Hebrew	17,719	437,696	150,083	186,402	37,280	37,342	.....
17. Irish	49,317	168,592	75,491	81,220	16,244	201,491	.....
18. Italian (North)	36,282	154,751	33,319	104,502	20,900	‡45,768	‡82,568
19. Italian (South)	96,051	825,250	175,281	537,181	107,436	.....	.....
20. Japanese	15,562	36,599	22,317	12,292	2,458	1,220	1,238
21. Korean	58	403	205	159	32	*	.....
22. Lithuanian	2,697	79,974	28,442	44,766	8,953	4,360	3,593
23. Magyar	11,845	122,347	40,975	61,616	12,323	5,436	6,887
24. Mexican	23,462	75,821	20,179	36,752	7,350	8,648	.....
25. Pacific Islander	76	33	11	20	4	*	.....
26. Polish	26,631	462,696	151,604	260,008	52,001	49,212	2,789
27. Portuguese	4,702	44,461	12,274	24,809	4,961	3,788	1,173
28. Roumanian	4,038	52,361	8,836	40,320	8,064	676	7,388
29. Russian	15,789	142,167	16,255	119,513	23,902	2,203	21,699
30. Ruthenian (Russniak)	21,104	109,937	37,186	65,262	13,052	663	12,389
31. Scandinavian	56,621	176,513	58,573	102,701	20,520	‖02,095	.....
32. Scotch	41,193	100,518	37,603	46,275	9,235	38,776	.....
33. Slovak	7,153	101,815	33,385	53,849	10,769	6,831	3,938
34. Spanish	25,870	42,949	6,981	31,254	6,250	906	5,344
35. Spanish-American	9,268	7,069	1,764	4,237	847	128	719
36. Syrian	2,953	30,969	8,114	18,691	3,738	844	2,894
37. Turkish	436	7,235	370	6,672	1,334	58	1,276
38. Welsh	4,278	11,255	3,245	6,230	1,246	12,188	.....
39. West Indian (except Cuba)	6,329	5,663	2,213	2,814	562	17	445
40. Others	2,009	15,728	1,174	13,954	2,790	.....	.....
Totals	852,176	4,459,831	1,276,763	2,592,770	518,554	.....	.....

* No census data.

† Bulgarians, Croatians, etc., are combined in this column.

‡ North and South Italians are combined in this column.

§ For the derivation of the figures given in this column, see explanatory paragraphs, page 120.

‖ The figures of this column are secured by subtracting the figures of column 6 from those of column 5.

The foregoing statistical tables give the actual immigration of the five years ending June 30, 1915, so classified as to show what the effect upon that immigration would have been if the proposed five-per-cent standard for its limitation had been in force. The basal figures here given have been especially prepared for the writer by the statistician of the United States Bureau of Immigration.

In classifying aliens the Immigration Bureau distinguishes between immigrants (who come for permanent residence here) and non-immigrants (who come for a transient stay). The five-per-cent restriction proposal as worked out in these statistics does not limit the entering of non-immigrants, of children, or of women. It affects only males fourteen years of age and over.

Column 6 gives the standards for the maximum permissible annual immigration of males from the various races and peoples according to the five-per-cent restriction policy advocated in this volume. This column is derived from the census of 1910; the figure for each people is five per cent of the American-born children of foreign parents of that people plus the number of those from that same people who have become naturalized citizens. This last item (the naturalized citizens) was secured "by mathematical calculations based upon Tables XIII and XXXIII, pp. 975 and 1082, vol. I, of the Census Population Report for 1910." Subtracting the figures of column 6 from those of column 5 (the average annual number of males actually admitted) we secure *column 7, showing the annual average number of males who would have been excluded* had the five-per-cent limitation principle been in force.

The number of immigrant children admitted during the five years ending June 30, 1915, may be secured by subtracting the sum of the figures given in Table I, columns 3 and 4, from the corresponding figures given in column 2.

In order to show in more detail the working of the five-

per-cent limitation plan, Tables III and IV have been added, dealing with Japan, China, and Italy for each year from 1911 to 1915.

Points to Notice

1. The proposals of this chapter would have imposed more rigid restriction not only upon Japanese but also upon Chinese than is imposed by the present laws and arrangements.

2. The restriction upon Italians is particularly striking. But note the large disparity between Italian male and female immigrants (Table III, columns 4 and 5).

3. The plan here proposed if in force would have imposed no restriction upon Hebrew immigration.

4. The average immigration from Europe for the past five years was, of course, seriously disturbed by the striking decrease for 1915 because of the war. Allowance must be made for this factor.

5. The restriction of the immigration of men will, of course, sooner or later affect that of women and children.

6. In column 6 the figure 1,000 should be substituted in each place where the five-per-cent rate would allow an immigration less than this amount, in harmony with the proposal of paragraph (*e*), page 110.

7. The total annual average immigration of males from those countries whose actual immigration was less than their permissible maximum amounted to about 170,000, while the total permissible annual immigration of males from those countries that exceeded their permissible maximum amounted to about 136,000. If the immigration of the past five years had been regulated by the policy set forth in this pamphlet, the average immigration of males from all countries would have been about 324,000 annually, instead of the average of 518,000 that actually were admitted.

CHAPTER IX

CRITICISMS CRITICISED

WHEN the writer appeared, early in 1914, before the Senate Committee on Immigration and made the statement that the American-Japanese problem was but one phase of a much larger American-Asiatic problem, and that in meeting this whole problem it would be necessary ultimately to rescind the present Chinese legislation and to substitute therefor legislation more in harmony with the fundamental principles of our government and of good-neighborliness with Asia, one of the senators interrupted the address with the remark: "Mr. Gulick, you may as well save your breath and our time. America has made up its mind as to what it is going to do with the Asiatic, and there is not a particle of use in your attempting to budge it."

This remark was made without waiting to hear what substitute legislation would be more in harmony with good-neighborliness and the fundamental principles of our government. And so it usually is. The moment a proposal is made to deal with Asiatics on the basis of equality with the treatment accorded to other peoples, many immediately jump to the conclusion that free immigration and the complete inundation of America by Asiatics is the object

of the proposal. The critic begins at once to depict the millions that would come to us, their crowding into all sorts of occupations, their long hours of work, their low and degraded scale of life, and their impossible wages.

The ultimate consequences are pictured in lurid colors. Asiatics, they insist, could not possibly take real part in maintaining a democracy, for they believe in despotism, not only in the government, but also in the family; democratic principles are intrinsically unacceptable to them and even unintelligible. Those who present these assertions commonly claim that an unbridgeable chasm separates the Caucasian from the Asiatic mind. They glibly quote the lines from Kipling:

> "Oh, East is East and West is West,
> And never the twain shall meet,
> Till earth and sky stand presently
> At God's great judgment seat."

The proposals of this volume, however, as has already been made clear, not only do not provide for free immigration of Asiatics to the United States, but rather, on the contrary, *provide for very rigid restriction of such immigration.* The proposed restriction is identical in principle with that which the writer contends should be applied to every people, thus providing for the fulfilment of our treaty pledges to "give most favored nation treatment";

but the number of Asiatics that would be admitted for the present and for several decades to come would be very small, indeed, especially when compared with those admissible from the principal peoples of Europe. The numbers admissible from Asia, as also from every land, would each year be *only a small per cent of those from their respective peoples who had already become American citizens.* In consequence of this provision, the newcomers from any people would always be only a small minority of those who have become Americanized. The dangers, therefore, instinctively feared from the presence of large alien or un-Americanized people in our midst would be reduced to a minimum.

Let it be clearly understood, then, that the proposals of this volume have nothing to do with free Asiatic immigration. What we do urge with all possible emphasis is that those whom we do admit, and who are to stay here permanently, whatever their race may be, should be urged and helped *to learn our language and our ways and to enter thus into wholesome relations with our government and our people.*

That, however, which causes deepest solicitude on the part of many when this Asiatic problem is brought forward is the intermarriage of Americans and Asiatics.

The problems raised by such intermarriages are so important that they should be made, we contend, the subject of scientific investigation. A competent

commission of experts in biology, ethnology, psychology, sociology, and morals should speedily be appointed to study the whole question with the utmost thoroughness.

But the granting of privileges of citizenship to all who qualify, regardless of race, has no relation whatever to the intermarriage of the races. This remains exactly the same whether citizenship is granted or is not granted.

An Asiatic who has secured American citizenship does not on that account have the right to compel a woman to marry him. His ability in winning her affection, moreover, does not depend in any degree whatever upon his possession of citizenship, nor does his lack of citizenship make him less able in presenting his charms or in winning her affection. The man's capacity in these matters depends upon his personal traits, not upon his political status. The question of intermarriage remains the same, therefore, whether we grant citizenship or withhold it.

The probability of intermarriage between Asiatics and whites is slight in the case of alien men and American women. The intermarriage of American-born and American-educated children of Asiatics of either sex with Americans of long American ancestry of the opposite sex is, however, not improbable. But this probability is not in any way lessened or increased by withholding or by giv-

ing privileges of citizenship to aliens who qualify. There is no relation whatsoever between these two things. American-born children are citizens, whatever their race. The withholding of citizenship from Asiatic parents will not have the slightest effect upon the chance that their American-born boys and girls may intermarry with girls and boys of long American ancestry, if they are mutually attractive.

The objection, therefore, to giving citizenship to all who qualify, regardless of race, on the ground that it will break down the barriers to race intermarriage, is absolutely illogical, due to an amazing confusion of thought.

The argument that a people, like a family, has a right to maintain the privacy of its home, also misses the point. It has nothing whatever to do with the policy urged in this volume. *The real question is, what shall we do with those whom we have already admitted to our home?*

If we grant various privileges to Europeans of Asiatic extraction, to Hungarians and Finns, to almost pure Tartars classed as Slavs, to Turks, Syrians, to Hottentots, Zulus, Kaffirs, and to all the races of Africa, of Mexico, and of South America, is it not somewhat arbitrary to say to Chinese and Japanese whom we have admitted that we will not give them the same privileges, no matter how well they may personally qualify for them?

This objection in reality concerns the question of immigration and not at all that of citizenship or of intermarriage. We insist with all possible emphasis that the proposal to grant citizenship has nothing whatever to do with it. We hold that so far as America does admit aliens to our national home we should treat them all alike, as our guests and friends.

The argument that we have one great and insoluble race problem on our hands already and that, therefore, we should avoid taking on another, is also entirely aside from the point. The question is not whether we are going to let Japanese and Chinese into our land, but *whether we are going to give the square and friendly deal to those whom we have admitted and will continue to admit.*

The argument in question ignores the only method that can possibly solve the race problem which is *already upon us.*

First, we must give complete political equality to qualified men of every race who are here and here to stay.

Second, we must provide that men of every race who vote shall conform to the established standard of qualifications for citizenship.

All candidates for the suffrage, whether foreign-born or native-born, white or Negro, Mexican or Persian, Armenian, Turkish, Chinese, or Japanese, should be required to qualify on the basis of fairly high standards. The ignorant should, of course,

not have the suffrage, whether that ignorance be ignorance of the English language or of the fundamental principles and practices, history and ideals of our government. If such standards are required of all who seek the suffrage, no Asiatic race question will develop.

The giving of citizenship privileges to all who qualify will not only not produce a second race question but it is the one all-essential method for preventing its rise.

If, as some critics of these proposals seem to desire, we continue to deal with the Asiatic question as it now stands, by methods of arbitrary political and racial discrimination and of economic disadvantage, an increasingly difficult Asiatic problem cannot fail to develop. In fact, by the very laws of human psychology, *the methods they propose would make certain the very difficulties they wish to avoid.*

The alleged unbridgeable chasm between the East and the West is in fact non-existent. The minds and hearts of men are essentially the same, whatever the race. In spite of all their admitted differences, the East and the West have far more in common than appears to the casual traveller and the superficial student. Those who quote Kipling are hardly fair to him when they stop with the lines that correspond to their a priori opinions and fail to quote the lines which controvert them. Im-

mediately following the four lines quoted above, Kipling adds:

> "But there is neither East nor West,
> Border nor Breed nor Birth,
> When two strong men stand face to face,
> Though they come from the ends of the Earth."

PART II

STATISTICAL

SOME DEFINITIONS

THE preceding nine chapters have been limited to the discussion of the political facts and considerations bearing upon the needed new policy for dealing with our Oriental populations. Careful students of these questions, however, will desire to know with some detail all available facts. The following chapters present with as much condensation as possible a large amount of statistical information. It is based on a careful compilation of statistics published by the government in regard to Chinese and Japanese. The writer had hoped to publish his compilations as an Appendix to this volume. He has been compelled, however, to satisfy himself with the summaries here presented.

In order that the reader may be able thoroughly to appreciate the statistics presented in these chapters, let him keep in mind the following important definitions and distinctions.

1. "*Immigrants*" are those who enter the United States expecting to remain PERMANENTLY, while "*non-immigrants*" are those who enter with the expectation of remaining only TEMPORARILY.

2. "*Emigrants*" are those who leave with no expectation of returning, while those who leave for

only a temporary absence are termed "*non-emigrants.*"

It must not be assumed that those who enter as "immigrants" leave as "emigrants." The natural expectations would in fact be that those who enter as immigrants, if they leave would do so as non-emigrants while those who enter as "non-immigrants" would leave as "emigrants." But, as a matter of fact, even this is not a safe assumption, for many who come for only a transient stay, leave only for a temporary absence. There is, in truth, no relation whatever between immigrants and emigrants, non-immigrants and non-emigrants.

3. Close attention must be given to the distinction between race and country. Not every immigrant who comes from Germany is a German, nor from Japan a Japanese. The statistics of these chapters deal in every case with Japanese and Chinese by *race.* This fact must be carefully watched by those who attempt to verify the figures here given, by comparing them with the government reports.

4. The tables on which we base our statements have been compiled from the successive reports of the Immigration Bureau. Those reports for the earlier periods are exceedingly meagre. As the decades have passed, attention has been given to new points and fresh classifications have been adopted. Each table here presented begins with the date when the

classification went into effect. Statistics concerning immigrants are far more complete than those concerning non-immigrants, and of emigrants than of non-emigrants, strange to say.

In view of the above facts the reader is requested to note with care the exact title of each table.

5. Chinese exclusion laws went into effect in 1882. Since their full effect was not at once operative, however, Chinese immigration is divided into two periods, the first period ending with 1883 and the second beginning with 1884.

6. Similarly with regard to the Japanese. The "gentlemen's agreement" though entered upon in December, 1907, first disclosed its full effect in the year ending June 30, 1909; this is accordingly the beginning of the new period of Japanese immigration, while 1908 marks the end of the old period.

7. The Hawaiian Islands became a part of the United States in 1898. The census of 1900 distinguished between Hawaii and Continental United States. The statistics of the Bureau of Immigration until 1899 exclude the Hawaiian Islands, and beginning with 1900 include those islands. This fact introduces an element of confusion, unless the student is on a sharp lookout.

In reading the following chapters let us remember that the United States include Hawaii. All tables, therefore, which give statistics for the "United States" of course include the figures from the Terri-

tory of Hawaii, just as they do those from the State of New York. When the two are to be distinguished and treated separately the terms used are "Continental United States" and "Hawaii."

CHAPTER X

CHINESE IN THE UNITED STATES

FEW Americans realize that we have a permanent Oriental population in our midst. It is nevertheless a fact. And it is a fact of much importance. For if we are going to avoid "another race problem," it is of the highest importance that we know the exact facts in regard to this population and that we adopt suitable policies in dealing with it.

Although Chinese and Japanese are both Oriental, their differences are so important that they should be dealt with separately. We confine our study in this chapter to the Chinese.

The first year of considerable Chinese immigration was 1854 when 13,100 persons were admitted from China. The preceding year only 42 had arrived, and previous to 1853 only 46 Chinese all told are reported as having come to the United States. From 1854 until 1883, when the law regulating Chinese labor immigration became effective, the arrivals varied year by year from 3,000 or 4,000 to nearly 40,000 in 1882.

Previous to 1857, the statistics are not given by race. If, however, we assume that all who came as

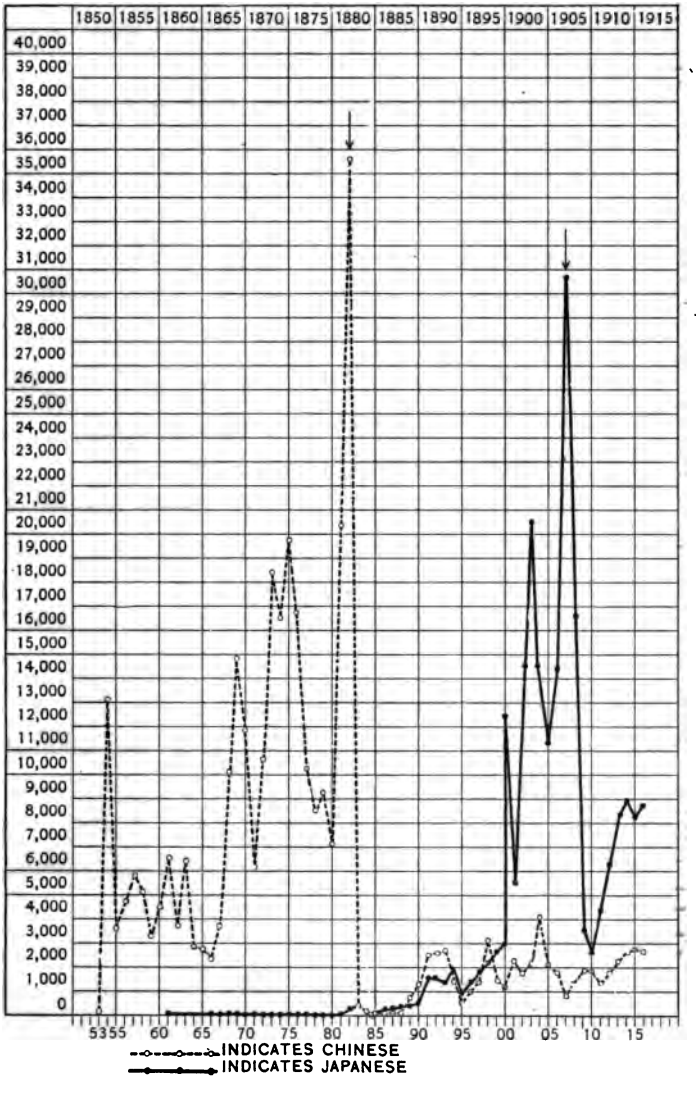
immigrants from China prior to that date were Chinese we get the following results:

Before 1853	46
1853–1883	290,342
1884–1916 (immigrants)	57,060
1884–1916 (non-immigrants)	45,805[1]
Total	393,253

The records of departures from the United States are far less complete than those of arrivals. Until 1883 only departures from San Francisco are available. Records of departures from the entire country begin in 1884, but strange to say the figures for the years 1896 to 1907 seem not to have been compiled. The total departures from San Francisco from 1857 to 1883 amounted to 146,751, while those from the entire country from 1884 to 1916 (twelve years lacking) amounted to 154,135. If we make the altogether probable assumption that the average for those twelve years was 4,000 annually, the departures for the period since Chinese exclusion went into effect would amount to about 190,000, making a total departure since 1857 of about 336,000. If the total arrivals amounted to some 395,000 and the total departures to 336,000, the Chinese in the United States in 1916 should be about 60,000. This calculation, however, makes no allowance for deaths or births, nor for departures from other ports

[1] Of this sum, 6,000 are estimated for the ten years, 1896–1905, for which statistics are lacking.

CHART SHOWING INCREASE AND DECREASE OF CHINESE AND JAPANESE ADMITTED TO THE UNITED STATES



than San Francisco between 1857 and 1884. The above figures must therefore be considered only approximate, though they are the best that can be had.

In this connection the reports of the census as to the number of Chinese in the United States at successive decades is interesting:

1860.....	34,933	1890.....	107,488
1870.....	63,199	1900.....	87,863
1880.....	105,465	1910.....	73,531

Were the Chinese in Alaska, Hawaii, and elsewhere in 1910 to be included, the Chinese population in the United States would read 94,648. Statistics as to sex, age, and many other elements have been kept only during recent years. It is impossible, accordingly, to secure accurate ideas as to many important factors, save for recent periods. Such statistics, however, as we do possess throw important light on the situation.

Theoretically, Chinese immigration ceased in 1882. The chart showing the entire immigration from all countries since 1820 published by the Bureau of Immigration in its annual reports, shows that no Chinese immigrants have entered America since 1882. In the body of the successive annual reports, however, Chinese immigrants and non-immigrants are listed along with similar classes from other lands, and are classified in all the various ways applied to the other peoples.

The Chinese exclusion law, it is ever to be remembered, forbade the coming to America only of laborers. Non-laborers of various specified classes have been allowed to enter, and so long as these thus admitted retain their status they have not been and are not now liable to deportation. Laborers who were in America when the exclusion act was passed were given the right to return to the United States should they at any time visit their home land.

Since 1905 those admitted have been carefully classified as to class or status.[1]

TOTAL CHINESE ADMITTED TO AND DEPORTED FROM THE UNITED STATES (1905–1916)

	Admitted	Deported
United States citizens	20,415	2,059
Wives of citizens	905	55
Returning laborers	10,520	192
Returning merchants	10,401	383
Other merchants	2,382	363
Members of merchants' families	8,292	1,690
Students	2,726	118
Travellers	476	17
Teachers	237	3
Officials	1,078	4
Miscellaneous	900	549
Total	58,332	5,433

Especially notable in the above table are the 20,415 Chinese who were admitted because they were

[1] For the years 1905–1908, U. S. Annual Immigration Reports, Table 2. For the years 1909–1916, U. S. Annual Immigration Reports, Table 1.

"citizens" of the United States. Some of these 20,415 may have visited China and returned to the United States more than once. The large number of "returning laborers" (10,520) and of "returning merchants"(10,401) is also highly significant. Adding together the above three classes (41,336) we see that two-thirds of those admitted (1905–1916) consist of Chinese who had already been in the United States. This leaves only 17,000 newcomers in the course of twelve years. Of these, 4,517 consist of transients such as students (2,726), officials (1,078), travellers (476), and teachers (237). Of the remainder, moreover, 8,292 consist of Chinese relatives coming to join their families. In twelve years only 2,382 merchants had arrived who had no previous relations with this country.

Of those recorded in the above table, it is not plain who are regarded as immigrants and who as non-immigrants. Indeed, efforts to answer this as well as other questions disclose rather disconcerting discrepancies in the statistics furnished by the bureau.

For instance: From Tables VII and XIII we learn that the number of Chinese immigrants admitted between 1909 and 1916 (inclusive) was 15,610 and of non-immigrants was 23,031, making a total of 38,641. From Table 1 we learn that during those same years the total number of Chinese admitted to the United States was 45,115. Striking the dif-

ference we find that 6,474 Chinese were admitted who were neither immigrants nor non-immigrants, presumably, therefore, American citizens. But the number of American "citizens" admitted in those years was 16,326 or 9,854 more than Tables VII and XIII make room for. How to account for this discrepancy the tables do not show.

These tables also disclose the rather serious fact that during these twelve years 5,433 Chinese have been deported, 2,059 of them claiming that they were American citizens. In this connection the reader should turn back to the quotation rendered by Judge Morton *In re* Chin Loy You, cited in Chapter III.

How many Chinese women have come to, and remained in, the United States? The facts seem to be these: Until 1883 (inclusive) the total arrivals seem to have been 8,895, while those arriving between 1884 and 1916 amounted to 4,574, making a total of 13,469.[1] The record of departures of Chinese women seems to be more imperfect than that of the departures of Chinese as a whole. The census for 1910, however, gives the following figures as to the numbers of Chinese men and women in Continental United States, and their ratios at the respective decades.

[1] The sources for these figures are: 1851–1909, Professor Coolidge's "Chinese Immigration," p. 502; 1904–1907, Reports of Bureau of Immigration, Table III; 1907–1916, Reports of Bureau of Immigration, Table VII.

CHINESE MALES AND FEMALES IN CONTINENTAL UNITED STATES

Census	Male	Female	Males per each Female
1860	33,149	1,784	18.58
1870	58,633	4,566	12.84
1880	100,686	4,779	21.06
1890	103,620	3,868	26.78
1900	85,341	4,522	18.87
1910	66,856	4,675	14.30

THE CENSUS OF 1910 GIVES THE AGES OF THE CHINESE POPULATION AS FOLLOWS:

Ages	Male	Female	Totals
Under 5 years	719	624	1,343
5–14 years	1,743	1,096	2,839
15–24 years	7,038	852	7,890
25–44 years	24,456	1,497	25,953
45–64 years	29,113	534	29,647
65 years and over	2,268	62	2,330
Age unknown	1,519	10	1,529
Total	66,856	4,675	71,531

In other words, according to the census of 1910, while there were in the United States 60,607 males between fifteen and sixty-four years, there were only 2,883 women of the same ages. Note also that nearly one-half of the men were over forty-five years of age, and had therefore passed the point of their highest physical efficiency. As we shall see, the records of emigration show that large numbers of those departing have been in the United States twenty years and over.

As to the marital condition of the Chinese as shown by the census of 1910, the facts are these. Out of 66,856 males in the United States, 36,790 were single and 26,451 were married. It follows, therefore, that most of the married men had their wives in China.

As to the women, out of 4,675 recorded in the census for 1910, those under fifteen years of age and single numbered 1,718, two being married. Only 2,018 women were married, while 229 were widows, and 5 were divorced. Of these married women, 1,569 were between twenty and forty-four years of age.

If we assume that all of the 1,343 children under five years of age were born in the United States to the above 2,018 married women, we observe that the Chinese families did not have on the average one child each under five years of age.

The table on the next page is the basis for the foregoing statements. It also gives additional facts concerning the marital state of Chinese in the United States.

Since 1910 the annual reports of the Commissioner of Immigration contain figures as to the marital condition of immigrants from which the following facts are summarized.[1] The marital state of non-immigrants does not seem to have been kept.

Of the total number of male immigrants admitted, fourteen to forty-four years of age, 4,919 were

[1] Immigration Reports, Table VII *B*.

single, 4,121 were married, and only 52 were widowed. Of 1,939 males forty-five years of age and over, only 17 were single and 29 widowed, while 1,893 were married. Of course their wives were doubtless all in China.

MARITAL CONDITION OF CHINESE IN CONTINENTAL UNITED STATES. CENSUS 1910

	Single		Married	Widowed	Divorced	Unknown
	No.	%				
Males—totals.....	36,790	55	26,451	1,139	45	2,431
Under 15 years...	2,460	99.9	2	....	....	....
15 years and over	34,330	53.3	26,449	1,139	45	2,431
Females—totals.....	2,398	51.3	2,018	229	5	25
Under 15.....	1,718	99.9	2	....	....	....
15 years and over..	680	23.0	2,016	229	5	25
15–19 years.....	300	78.9	77	....	....	3
20–24 years.....	144	30.5	316	8	....	4
25–29 years.....	55	12.9	357	8	1	4
30–34 years.....	42	10.0	352	21	2	1
35 and over.....	139	....	914	92	2	13

As for the females, 194 were under fourteen years of age. Of 1,544 females between the ages of fifteen and forty-four, only 165 were single, the rest being either married (1,365) or widowed (14). No Chinese male or female immigrant admitted during the seven years under consideration was divorced. Of the 160 unmarried female immigrants admitted, 119 were between fourteen and twenty-one years of age, 34 between twenty-two and twenty-nine, and 7 over thirty years old.

Since 1896 records have been kept in regard to the sex, age, illiteracy, financial condition, and certain other facts concerning all immigrants to the United States. Since 1909 similar facts have been recorded in regard to non-immigrants. Collecting from the successive annual reports figures dealing with Chinese, we find quite a number of illuminating facts.[1]

Out of 39,415 immigrants, fourteen years of age and over, admitted between 1896 and 1916, 2,941 were totally illiterate. Until 1908 no distinction was made between male and female illiterates. Since that date, however, to 449 male illiterates there were 1,091 female illiterates, although the total female immigrants amounted to only 2,013 while the total male immigrants amounted to 14,860. In other words, among Chinese female immigrants the illiterate were more than one-half.

From 1909 to 1916 the total number of male non-immigrants was 22,574, of whom 1,713 were illiterate, while of the 1,357 female non-immigrants, only 132 were illiterate. How to account for this very large number of illiterates among the non-immigrant males is an interesting question, for a smaller illiteracy was to be expected among the non-immigrants than among the immigrants.

The following table of Chinese illiteracy is taken from the census for 1910:

[1] Tables VII and XIII.

CHINESE ILLITERATES IN CONTINENTAL UNITED STATES. CENSUS 1910

Ages	Total	Illiterate	Per Cent
Ten years of age and over...	68,924	10,891	15.8
Males.....	65,479	9,849	....
10–19 years.....	4,144	302	....
20–34 years.....	13,687	1,666	....
35–54 years.....	33,800	4,944	....
55 and over.....	12,329	2,890	....
Females.....	3,445	1,042	30.2
10–19 years.....	870	88	....
20–34 years.....	1,315	427	....
35–54 years.....	1,317	408	....
55 and over.....	233	136	....

Since 1896 records have been kept of the amounts of money brought in by immigrants, and since 1909 also by non-immigrants.[1]

Between 1896 and 1903 Chinese immigrants who brought in less than $30 each numbered 10,738, while those who exceeded that sum numbered 1,963.

Between 1904 and 1916 the standard figure was $50. In that interval those who brought in over $50 number 6,573. The total amount brought by Chinese immigrants during this entire period (1896–1916) amounted to $1,233,631.

Non-immigrants in the period between 1909 and 1916 brought $1,188,029, of which 6,250 persons brought in less than $50 each.

Records have been kept also in regard to the sources of the passage-money. Between 1908 and

[1] Tables VII and XIII.

1916 passage was paid by relatives for 7,259 immigrants, while 8,640 paid their own passage. Of the non-immigrants, 20,373 paid their own passage-moneys, while relatives paid the passage for 1,894.

Another interesting item disclosed by the same tables is the destination of Chinese coming to our shores. Between 1908 and 1916 out of 16,873 immigrants, 8,380 were on their way to join relatives and 4,088 to join friends. Among 23,031 non-immigrants, on the other hand, for the years 1909 to 1916, only 4,491 were going to join friends, while the remainder, 12,508, had neither friends nor relatives as their objectives.

We turn next to such facts as may be learned from the reports as to arrivals and departures. For this purpose we have five tables to study (1, VII, XIII, VII*A*, and XIII*A*). Summaries of these tables give the following figures:

CHINESE ADMITTED (1909–1916)

	Citizens	Immigrants	Non-immigrants
Males	16,328	13,683	22,574
Females		1,927	1,357
Total		15,610	23,031
Age—			
Under 14 years	....	1,372	642
14–44 years	....	12,150	16,080
Over 44 years	....	2,088	6,309
Total	....	15,610	23,031

CHINESE DEPARTURES (1909–1916)

		Emigrants	Non-emigrants
Males	....	19,022	30,453
Females	....	439	824
Total	....	19,461	31,277
Age—			
Under 14 years	....	135	780
14–44 years	....	6,210	21,071
Over 44 years	....	13,116	9,426
Total	....	19,461	31,277
Residence in U. S.—			
Under 5 years	....	2,309	3,831
5–10 years	....	2,558	3,910
10–15 years	....	2,883	2,591
15–20 years	....	2,680	2,294
Over 20 years	....	9,002	5,502
Unknown	....	29	....
Residence outside U. S	....	....	13,149
Total	....	19,461	31,277

From these summaries of arrivals and departures the following facts appear. The total number of immigrant and non-immigrant Chinese admitted between the years 1909 and 1916 (inclusive) was 38,641, while the departures during the same period amounted to 50,738. The Chinese population of the United States diminished therefore by 12,097. When, however, we distinguish between the sexes we discover that while 36,257 males arrived, 49,475 departed, making the diminution of male population

13,218. In the case of the females, on the other hand, while 3,284 arrived, only 1,263 departed, making an increase in the female population of 2,021 in these past eight years.

In addition to those recorded as immigrants and non-immigrants some 16,328 "citizens" (Table 1) were admitted. The record of departed "citizens" has been kept only since 1913 (Table 8). The number of those who departed in these four years has been 4,819, while those who have been admitted during the same years has been 8,327. One would suppose that Chinese "wives of citizens" would be admitted as "citizens." They appear, however, to be recorded as immigrants.

We should especially note the fact that while 19,461 men left the United States not expecting to return, 31,277 expected to be absent only temporarily. Of this number, however, 13,149 are recorded as having had their residence outside the United States. The correct figure, therefore, of those expecting to return to the United States would doubtless exclude this group; this gives us 18,128 who left expecting to return. Of course the 4,819 "citizens" who departed were all expecting to return, for they took pains to secure return certificates.

Of those 19,461 planning not to return, 13,116 were over forty-four years of age and 14,594 had lived continuously in the United States more than ten years, and 9,002 more than twenty years.

The occupations of immigrants have been recorded since 1897 and of emigrants since 1908. From our careful compilation of the statistics we derive the following facts:

Out of a total immigration of 40,023 (1897–1916), 1,627 were classed as professionals (including 26 clergy, 240 government officials, and 249 teachers), 343 were classed as "skilled," and 33,198 others, of whom 5,877 were "laborers" and 18,474 were merchants.

For the period between 1908 and 1916 (inclusive), while 1,082 "professionals" were admitted (220 being government officials and 199 teachers), only 302 professionals are recorded as having departed.

In contrast to these figures the number of the "skilled" admitted was only 128, while 1,164 departed!

The most striking difference between immigrants and emigrants occurs among "laborers," of whom 651 were admitted to 14,263 departed. More immigrant merchants on the other hand arrived than departed in this period (1908–1916), the figures being respectively 5,870 arrivals to 4,678 departures.

The reasoning of the Bureau of Immigration in regard to classification is passing strange, not to say incomprehensible. Why should clergy, government officials, and teachers be classed as immigrants, and why should students be classed with women and children as immigrants having no occupation?

This latter fact comes to light, not from the table, but from correspondence.

The distribution of Chinese in the different sections of the United States is given in the successive reports of the census. A comparison of the four decades shows that, while the Chinese population has settled largely on the Pacific coast, considerable movement has, nevertheless, taken place toward the Atlantic coast. The numbers on the Pacific coast have steadily diminished, while those on the east coast have steadily advanced.

DISTRIBUTION OF CHINESE POPULATION. CENSUS REPORTS, 1880–1910

	1880	1890	1900	1910
United States	105,465	107,488	89,863	71,531
New England	401	1,488	4,203	3,499
Middle Atlantic	1,227	4,689	10,490	8,189
East North Central	390	1,254	2,533	3,451
West North Central	423	1,097	1,135	1,195
South Atlantic	74	669	1,791	1,582
East South Central	90	274	427	414
West South Central	758	1,173	1,555	1,303
Mountain	14,274	11,572	7,950	5,614
Pacific	87,828	85,272	59,779	46,320

Chinese who plan to leave the United States temporarily are allowed to secure certificates of residence which will permit entry upon their return. Statistics of these facts have been published for the years 1911–1916 (Table 5). From these it appears that

in this interval 6,423 American-born citizens were granted such certificates while 491 professing to be native-born citizens were refused return certificates. Of the classes whose immigration is not forbidden by our Chinese exclusion laws, 5,399 were granted certificates of return and also 4,740 "laborers," making a total of 16,562 Chinese who left the United States in the period indicated who took with them return certificates. The total number to whom such certificates were refused was 1,163. The statistics of Table 8 may well be considered in this connection. They deal with the departures of those carrying return certificates while Table 5 deals with applications for certificates, without stating when those receiving them actually departed. This doubtless accounts for certain apparent discrepancies. The ignominy of this procedure we impose on no other people.

Certain statistics are given by the Bureau of Immigration as to the basis upon which American-born Chinese citizens were admitted to the United States for the years 1908–1916 (Table 3). It appears that in this period 8,720 Chinese entered the United States who had secured determination by the authorities of the fact that they were citizens before they left, while 2,116 had that fact determined only upon their return. In addition to these, 5,049 were admitted as citizens, though born in China, on the ground that their fathers were American citizens.

These facts raise certain questions regarding the law that children of immigrants born in America are for that mere reason American citizens, and that children born abroad of these American-born fathers are also citizens. On the basis of these laws children born in America but sent to China and reared to manhood there, or even born and reared in China of Chinese fathers who were born in America, can claim free admittance to the United States and to rights of suffrage, even though they are absolutely ignorant of English and have no knowledge whatever of American life, of our government, or of the Constitution. The recommendations of the Commissioner of Education (Report of the Department of Labor, 1916, p. 161) in regard to this matter should be given speedy and serious consideration.

The Federal Commission on Industrial Relations calls attention in its report (1915) to the same matter. It states that "Chinese arrested for being unlawfully in the United States set up the claim of nativity." It adds that "a rather dangerous situation is developing" (pp. 244–245). The commission also makes a number of rather important recommendations with regard to the problems raised by the "smuggling or other illegal entry of Asiatics into the United States."

The Immigration Bureau reports in detail as to the number of Chinese in the United States arrested, discharged, and deported. These facts are given for

the years 1909–1916 (Table 6). From a compilation of these statistics we learn that in the period indicated, 4,022 Chinese were arrested on the ground of not being lawfully in the country. Of these, 1,212 were discharged, the evidence presented by the officials being inadequate, while 2,928 were deported, and 161 either escaped or died before the decision of the court was reached. Is it not a serious reflection on the efficiency and fair dealing of the federal administrative officials that 30 per cent of the arrests should prove to be of men who are innocent? The question naturally arises as to what compensation or redress such Chinese have for the indignity and expense that has been inflicted upon them by officials who, to say the least, are certainly inefficient. Here again the reader may well reflect on the statements of Judge Morton quoted in Chapter III. His attention is especially called to the quotations given in the Appendix to this chapter.

The number of those debarred between 1899–1916 was 5,959; of these, 991 were classed as having "loathsome or contagious diseases," 456 as "likely to become public charges," and 4,313 as being debarred by the Chinese exclusion laws.

Effort has been made to find statistics which would differentiate the Hawaiian Islands from Continental United States. A few facts along this line have already been presented. In general the statistics are meagre. From Tables IX and IX *A* we secure

certain figures for immigrants and emigrants for the years 1909 to 1916. As there are no similar figures for non-immigrants and non-emigrants, a full view of the changes in Chinese population in Continental United States and Hawaii considered separately is not to be had. A summary of these tables shows that during the period under consideration those leaving Continental United States not expecting to return (17,155) exceeded the number (14,715) of those admitted who expect to remain here by 2,440, while the corresponding figures for the Hawaiian Islands were: emigrants, 2,306; immigrants, 895, giving an excess of permanent departures of 1,411.

An interesting table is given in the census of 1910 (vol. I, p. 1070) showing the number of males twenty-one years of age and over classified according to citizenship. It appears that of the 60,421 Chinese males twenty-one years of age and over in the United States at the time of the census of 1910, 8,463 were American born, 1,368 were naturalized, and 483 others had taken out first papers! The naturalization of the Chinese in the United States ceased, of course, in 1882, but continued in the Hawaiian Islands until those islands were annexed in 1900, at which time all Chinese and others who were citizens of Hawaii were accepted as citizens of the United States. The above figures, however, do not include Chinese in the Territory of Hawaii.

The table shows also how they were distributed in the various sections of the United States.

Between the years 1910–1916 the total number of Chinese non-immigrants admitted to the Philippine Islands was 42,779; while the number of non-emigrant departures was 52,537. Apparently those who enter for a temporary stay, leave only for a temporary absence.

This must suffice for our study of the Chinese in the United States. We turn next to a study of the Japanese.

Appendix to Chapter X

The September (1909) number of the *Annals of the American Academy of Political and Social Science* was devoted to the problem of Chinese and Japanese in America. Many important discussions are there given with which the student who wishes to be thoroughly informed should be acquainted. Quotations are here presented from two articles which throw important light on American mistreatment of Chinese.

From "The Enforcement of the Chinese Exclusion Law," by James Bronson Reynolds:

"On the twenty-ninth day of the eleventh moon of Peng Ng year, that is, January 13, 1907, there appeared on the walls of many buildings in the Chinese quarter of Singapore a declaration from which I take the following statement: 'In America

we are one and all ill-treated as if we were criminals, no distinction being made between officials, merchants, students, and ordinary people. There the disgrace inflicted upon us may be said to be carried to its fullest limit. . . . Given by Lam Hong Wai, the man who proposes to revive the boycott.' The signer of this declaration was a well-known, prosperous Chinese merchant of Singapore, and his judgment on the American Bureau of Immigration, I am informed, voiced the general sentiment of intelligent Chinamen.

"A few months previous to the above pronunciamento, I was visited by a Chinese merchant, who told me the following experience of a brother merchant of New York. A son of the latter, born in this country, hence entitled under the law to live here, had gone to Canton to receive a Chinese education. On the completion of his studies he returned to this country. Upon reaching San Francisco, in spite of the fact that he was a first-class passenger and carried papers establishing his American birth, he was stopped and confined in the 'pen,' the rough quarters in which detained immigrants were lodged. Upon this detention he wired his father, who at once started for San Francisco. The father found on arrival that his son had been ordered deported. The father retained an American lawyer, who appealed from the local decision on the case to the higher immigration authorities in Washington. Two days later the father was visited by a Chinese interpreter in the service of the American government, who told him that he had wasted time in appealing to Washington and that fifty dollars given to the right man would have 'fixed' the case. The interpreter stated subsequently that even then one hundred dollars would arrange the matter. This amount

was promptly paid and the next day the father and son started east.

"Similar incidents were told me by Chinese merchants and officials as well as by American missionaries. Some of their tales were well substantiated; some were of doubtful truth. But unfortunately the fiction was not more discreditable than the truth. An able Chinese governor, since made viceroy, stated to me that though he desired to send students from his province to America, he was deterred from doing so by the treatment accorded to Chinese students at American ports of entry." (Pp. 363–364.)

From "Un-American Character of Race Legislation," by Max J. Kohler:

"Alleged difficulties in the enforcement of these laws and attempted evasions thereof—scarcely sustained, however, by our official government census, which recorded 105,465 Chinese residents in 1880, 106,000 in 1890 and only 93,000 in 1900, with 70,000 the present official estimate of the Department of Commerce and Labor—led to legislation for the registration of all resident Chinese laborers, under heavy and previously unheard-of extra-constitutional penalties, and danger of arrest of all Chinese, on the claim that they should have registered, and stringent, often unobtainable, proof on the part of all non-laborers was demanded. The law was administered on the theory that only 'teachers, students, merchants or travelers from curiosity' may enter. The exclusion of 'bankers,' 'traders,' physicians, actors, etc., because not affirmatively enumerated, was ordered. The determination by administrative officers of all applications to enter was made final,

with no right of resort to the courts on the difficult and important questions of law and fact involved, even with respect to claims to American citizenship. Uncontradicted evidence was disregarded in a way not sustained in any other class of cases; arrest and detention and a shifting of the burden of proof upon defendants, wholly abhorrent to our Anglo-Saxon system of jurisprudence, was practiced and held to be constitutional, despite bills of rights, on the theory that the right to exclude and expel aliens may be pursued by extra-constitutional methods. In short, there was instituted a constant reign of terror for all Chinese or alleged Chinese residents, laborers or non-laborers. Their liberty is constantly jeopardized by harsh and oppressive laws, and their property is accordingly also endangered under the sentiment thereby engendered that they are beyond the protection of our laws. Only one who, like the writer, has become familiar in practice with the injustice and barbarity of these laws in their actual practical workings, can realize that such practices can exist amid our boasted American civilization. The Chinese have little access to our public prints and have substantially no votes, and when even their officials, vehemently but righteously decline to join in doing honor to a military officer who had made an unauthorized extension of these anti-Chinese enactments to our new Asiatic possession, to breed such race prejudice on that continent, too, they become *persona non grata!*" (Pp. 283–284.)

"A reference in passing to recent statutes authorizing the expulsion, within three years after landing, of any aliens for alleged specified causes by mere administrative action, with right denied of judicial review, indicates how invidious is the

atmosphere which engenders such legislation. It creates a dangerous condition for all aliens and alleged aliens, in placing their rights on an administrative footing inferior to those of citizens, contrary to the American spirit. On the other hand, as regards Chinese residents, it should not be forgotten that the statutory discriminations against them and their testimony and their subjection to irresponsible petty executive officers, has created a spirit of disregard for their persons and property of a very far-reaching character, and has resulted in their often becoming the victims of official bribery and extortion, to which Oriental races may be peculiarly susceptible. This cannot be measured merely by the already appreciable number of convictions and dismissals of government officials for these causes, that happen to have taken place. It is but fair to say, in this connection, that there have been but comparatively few wholesale arrests of resident Chinese under our exclusion laws since the famous Boston raid of Sunday, October 11, 1902, when about 250 Chinese persons, in fact all the Chinese residents of Boston who could be found, were simultaneously arrested, nearly all to be subsequently discharged, after sustaining gross hardships and injuries. Hon. John W. Foster has ably described this contemporary imitation of the 'Black Hole of Calcutta,' and the large public meeting of protest in Faneuil Hall following it, in an article on 'The Chinese Boycott,' in the *Atlantic Monthly*, January, 1906."

CHAPTER XI

JAPANESE IN THE UNITED STATES

THE annual immigration of the Japanese to the United States passed the 100 mark in 1885, and the 1,000 mark in 1891. As in the case of the Chinese, the statistics furnished by the Bureau of Immigration are far from complete. Previous to 1870 the total Japanese arrivals had slightly exceeded 100. Between 1870 and 1879 some 164 are recorded as arriving, and during the eighties only 1,874 entered. Between 1890 and 1899 the immigration averaged about 1,500 annually. The following decade saw the large immigration. During the first year (1900) of the decade 12,628 arrived, 20,041 in 1903, and 30,842 in 1907. The "gentlemen's agreement" then went into operation and immigration fell to 16,418 in 1908, and to 3,275 in 1909, the total for the decade being 142,536. Between 1910 and 1916 (inclusive) Japanese immigration amounted to 48,-108. This gives a grand total of about 208,000.

Since 1900 non-immigrants have been distinguished from immigrants. Between 1900 and 1908 (inclusive) non-immigrants are reported to the extent of 4,721 (by country),[1] while from 1909–

[1] Source: Senate Documents, No. 747—61st Congress, 3d Session; Report of Immigration Commission, vol. I, pp. 66–96, Table IX, Parts 1 and 2.

1916 (inclusive) there were 22,074 (by race), giving a total record of non-immigrants of 27,511 between 1900 and 1916. This brings the total of alien Japanese admitted to the United States as immigrants and non-immigrants to 233,582. It is to be remembered, however, that these statistics exclude the Hawaiian Islands before, and include them since, 1900. With the annexation of those islands their entire Japanese population of some 61,111 was suddenly added to the Japanese population of the United States, thus bringing the total nearly up to 300,000.

The record of departures is exceedingly fragmentary. In their place we may note the record of the census for the successive periods showing how many Japanese were present in the United States at the time of each census.

JAPANESE POPULATION IN THE UNITED STATES AND HAWAII

Census	United States			Hawaii		
	Male	Female	Total	Male	Female	Total
1870	47	8	55	....	....	....
1880	134	14	148	....	....	....
1890	1,780	259	2,039	....	....	12,360[1]
1900	23,341	985	24,326	47,508	13,603	61,111
1910	63,070	9,087	72,157	54,785	24,891	79,675

As in the case of the Chinese, so here the Bureau of Immigration provides us with statistics, increas-

[1] This figure does not include Hawaiian-born Japanese.

ingly complete as time passes. The sex and illiteracy of immigrants is reported beginning with the year 1896, and of non-immigrants, emigrants, and non-emigrants from 1909.[1] From these tables we secure the following summary:

JAPANESE ADMITTED TO AND DEPARTED FROM THE UNITED STATES (1896–1916)

	1896–1908			1909–1916		
	Male	Female	Total	Male	Female	Total
Arrivals—						
Immigrants..	126,835	20,687	147,522	19,960	31,423	51,383
Non-immigrants				19,685	2,389	22,074
Total.....	....	....	....	39,645	33 812	73,457
Departures—						
Emigrants.....	....	....	....	13,047	3,208	16,255
Non-emigrants.	....	....	....	41,739	8,611	50,350
Total.....	....	....	....	54,786	11,819	66,605

From the above table the following facts appear. During the period of largest immigration (thirteen years, 1896–1908) 126,835 men arrived, and only 20,687 women. How many left the United States during these years we do not know. After the "gentlemen's agreement" went into effect (eight years, 1909–1916), 39,645 men and 33,812 women were admitted. In this same period, however, 54,786 men returned to Japan and only 11,819 women. To put the facts from a different angle,

[1] Tables VII, XIII, VII *A*–XIII *A*.

the Japanese alien male population of the United States diminished by 15,141, while the Japanese alien female population increased by 21,993. The entire increase of Japanese population in the United States by arrivals over departures was 6,852 in eight years. These figures it is to be remembered include the Hawaiian Islands.

These facts are so contrary to the ordinary impression sedulously cultivated by anti-Japanese agitators that for the sake of emphasis and ease of reference I present them in another form.

Total alien Japanese male departures (1909–1916).....	54,786
Total arrivals (1909–1916).....	39,645
Decrease of alien Japanese males in U. S.....	15,141
Total alien Japanese females entered U. S. (1909–1916)....	33,812
Total alien Japanese females departed (1909–1916).....	11,819
Increase of alien Japanese females in U. S.....	21,993

The foregoing statistics take no account of births or deaths, and it is to be remembered that these figures include arrivals to and departures from the Hawaiian Islands. We shall see later on that of the above decrease of males about one-half took place in the Hawaiian Islands and one-half in Continental United States. In regard to the increase of females also approximately one-half was in Hawaii and one-half in Continental United States.

Arrivals exceeded departures (1909–1916) in the case of those under fourteen years of age by 1,454, and by 10,657 of those between fourteen and forty-

AGE OF ALIEN JAPANESE ARRIVING AND DEPARTING

	1896–1908	1909–1916
ARRIVALS		
Immigrants—		
Under 14 years	2,365	2,764
14–44 years	142,649	46,118
Over 44 years	2,508	2,501
	147,522	51,383
Non-immigrants—		
Under 14 years	....	280
14–44 years	....	19,840
Over 44 years	....	1,954
	....	22,074
DEPARTURES		
Emigrants—		
Under 14 years	....	719
14–44 years	....	12,509
44 and over	....	3,027
	....	16,255
Non-emigrants—		
Under 14 years	....	871
14–44 years	....	42,792
Over 44 years	....	6,687
	....	50,350

four years old, while of those over forty-four years old the departures exceeded arrivals by 5,259. These figures show that the vast majority of the Japanese coming to America are in the prime of life, while of those who have passed the prime of life departures largely exceed arrivals.

An interesting inquiry concerns the length of residence of those leaving the United States.

LENGTH OF RESIDENCE IN UNITED STATES OF JAPANESE ALIENS. DEPARTING (1909–1916)[1]

	Emigrants	Non-emigrants	Total
Not over 5 years.....	5,466	10,960	16,426
5–10 years.....	5,643	22,107	27,750
10–15 years.....	3,038	8,108	11,146
15–20 years.....	1,457	2,582	4,039
Over 20 years.....	593	1,124	1,717
Unknown.....	67	....	67
Residence outside U. S.	....	5,469	5,469
	16,264[2]	50,350	66,614

We note first that of the 50,350 non-emigrants leaving the United States, 5,469 had not been resident in the United States at all. They simply passed through it. Is it not surprising to find them classed as non-emigrants, for this class consists of those who are leaving the United States for only a temporary absence? Disregarding this group, however, we find that while 16,264 left the country not expecting to return, 44,881 (50,350−5,469=44,881) left the United States with the definite expectation of returning in the near future, of whom 33,067 had lived in the United States less than ten years.

We turn next to the question of the degree of illiteracy of Japanese admitted to the United States.

[1] Tables XII *A* and XIII *A*.

[2] The discrepancy of 9 between this figure and the figure (16,255) on a previous page is due to the inclusion here of 9 persons in 1909 whose sex and age were unknown.

The following table gives a summary view. We have omitted the few cases of those who could read but not write, and have included only those who could neither read nor write.

ILLITERACY OF JAPANESE ALIENS ADMITTED TO THE UNITED STATES

	1896–1908	1909–1916	
Immigrants—			
Male		1,736	
Female		7,813	
Total			9,549
	34,441		
Non-immigrants—			
Male		661	
Female		407	
Total			1,068
Total illiterates	....		10,617

It thus appears that out of a total arrival of Japanese from 1896 to 1908 of 147,522, nearly a quarter (34,441) could neither read nor write. This effectually substantiates the contention of those who complain that a very considerable fraction of Japanese admitted were members of the lowest classes in Japan.

But it is a matter of no little surprise that since the "gentlemen's agreement" went into effect, out of 80,057 total admissions, 10,617 illiterates should have been allowed by the Japanese Government to come. Of these it is to be observed 8,220 were women.

It is a matter of regret that the illiteracy of those departing is not recorded; for then we could know whether or not the degree of their education makes any difference with their capacity for satisfactory residence in this country. The records also fail to show whether the illiterates come equally to Continental United States and to Hawaii.

The census for 1900 and for 1910 gives the following figures regarding Japanese illiterates in Continental United States:

JAPANESE IN CONTINENTAL UNITED STATES 10 YEARS OF AGE AND OVER

	1900			1910		
		Illiterate			Illiterate	
	Total No.	No.	Per Cent	Total No.	No.	Per Cent
Male.....	23,214	4,211	18.1	60,809	5,247	8.6
Female.....	877	175	20.0	6,852	966	14.1
Total....	24,091	4,386	18.2	67,661	6,213	9.2

This table shows that in the decade intervening between the census of 1900 and that of 1910 the illiteracy of Japanese men fell from 18.1 per cent to 8.6 per cent, while that of the women fell from 20 per cent to 14.1 per cent. There is abundant reason for believing that the next census will disclose a very great reduction of Japanese illiterates in Continental United States.

The Immigration Bureau has kept records of the

amounts of money brought by incoming Japanese. Between 1896 and 1908 the total amount brought in by immigrants was $6,055,562, and between 1909 and 1916 $2,124,686, while non-immigrants between 1909 and 1916 (inclusive) brought $2,248,425, making a total of cash brought into the country of $10,428,673 (1896–1916).

Out of 51,383 immigrants arriving between 1909 and 1916 (inclusive) 10,499 paid their own passage-money, 40,407 had their passage paid by relatives, and 527 were provided for by others. Among non-immigrants for the same period 18,914 paid their own way, 2,443 were provided for by relatives, and 717 were assisted by others.

For the same period, of the immigrants, 41,284 came to join relatives, and 4,140 came to join friends, leaving 5,959 who had other destinations, while of the non-immigrants 4,942 were coming to friends and 11,029 had neither kind of objective.

We turn next to the question of the proportions of the sexes and their marital condition. On this subject the records of the immigration reports are exceedingly imperfect. We turn first of all, therefore, to the census reports, from which the tables on the opposite page have been compiled.

From these tables we learn that while there were 59,344 men between the ages of fifteen and sixty-four, there were 6,590 women of the same ages. This proportion was in marked contrast to the pro-

portion of sexes in the case of the Chinese. We have already seen that between 1909 and 1916 the Japanese male population diminished by 15,141,

JAPANESE MALES AND FEMALES IN CONTINENTAL UNITED STATES

Census	Males	Females	Males per Female
1870	47	8	....
1880	134	14	....
1890	1,780	259	6.87
1900	23,341	985	23.69
1910	63,070	9,087	6.94

THE AGES OF JAPANESE RECORDED IN THE CENSUS OF 1910 ARE AS FOLLOWS:

	Male	Female	Total
Under 5 years	1,689	1,719	3,408
5–14 years	845	720	1,565
15–24 years	13,703	1,885	15,588
25–44 years	42,596	4,531	47,127
45–64 years	3,045	174	3,219
65 and over	38	32	40
Unknown	1,154	56	1,210
Total	63,070	9,087	72,157

while the Japanese female population increased by 21,993. As these latter figures include Japanese arriving at and leaving the Hawaiian Islands, they cannot be immediately compared with the figures of the above table. But they do show that the disparity between the sexes is rapidly diminishing.

The marital condition of the Japanese is shown by the census of 1910 as follows:

MARITAL CONDITION OF JAPANESE IN CONTINENTAL UNITED STATES. CENSUS of 1910

	Single		Married	Widowed	Divorced	Unknown
	No.	Per Cent				
Male total.....	45,222	71.7	15,918	495	86	1,349
Under 15 years....	2,534	100.	....	..	..	....
15 years and over.	42,688	70.5	15,918	495	86	1,349
Female total.....	3,346	36.1	5,582	96	17	46
Under 15 years....	2,438	100.	1	..	..	....
15 years and over..	908	13.7	5,581	96	17	46
15–19 years.....	170	49.1	174	..	..	2
20–24 years.....	229	14.9	1,298	5	6	1
25–29 years.....	264	13.3	1,691	16	5	5
30–34 years.....	146	9.9	1,307	12	2	3
35 years and over.	99	....	1,111	63	4	35

If we assume that all the Japanese married women in the United States are living with their husbands here, then the number of married men who have wives in Japan at the time of the census was 10,336. Many of these wives no doubt are among the 21,256 women who came to America between 1909 and 1916.

It is interesting to observe that there were 738 unmarried women over twenty years of age, and 113 more of the same age who were either widows or divorced. We should note also the small number of those who were divorced.

While the Chinese families in America numbered only 2,018 to a total population of 71,531, the number of Japanese families to a total Japanese population of 72,157 was 5,582. It is a surprise, therefore, to observe that in these 5,582 families there were only 3,408 children under five years of age.

The marital condition of immigrants has been recorded since 1910, but not of non-immigrants. Of 15,025 male Japanese immigrants admitted during the seven years recorded, 1,649 were under fourteen years of age; of the remainder, 9,238 were single and 5,754 were married; while of the 28,061 female immigrants admitted, 966 were under fourteen years of age, of those from fourteen to forty-four years of age 1,808 were single, and 26,225 were married, most of them doubtless to husbands whom they were coming to join. Of the 1,728 unmarried females fourteen to forty-four years of age, 1,451 were from fourteen to twenty-one years old, 237 were from twenty-two to twenty-nine, and 90 were from thirty to forty-four years old.

In this connection we present a summary of certain statistics (1914) published by the Dendo Dan in regard to Japanese population in the States of California, Nevada, Utah, New Mexico, and Colorado. They are classified by sex, heads of families, children, and others, and also under 86 varieties of occupation.

Heads of families	49,759
Wives	11,833
Children	9,576
Others	445
Total	71,613

According to these figures the total number of Japanese children is less by 2,257 than the number of wives. If each family had only one child, therefore, there would be 2,257 families with no child. There are, however, reasons for believing as we shall soon see that the above figures, particularly with regard to children, are incomplete.

The largest single group by occupation is that of farmers, there being 10,475 men, 5,594 wives, and 4,594 children, while farm laborers number 16,391, their wives 1,401, and their children 976.

Efforts have been made to secure statistics as to the number of Japanese children in the schools of California. The reply from the office of the superintendent of public instruction states that "Chinese and Japanese children are admitted to the California schools upon exactly the same terms as other children and no reports are made as to the nationality of the children in the schools."

According to the report (1916) of the California State Board of Health Bureau of Vital Statistics, Japanese children born in California, so far as registered, numbered for the successive years since 1906 as follows:

1906	134
1907	221
1908	455
1909	682
1910	719
1911	995
1912	1,467
1913	2,215
1914	2,874
1915	3,342
1916	3,721
Total	16,825

The number of Japanese children under fourteen years of age admitted to the United States (1909–1916), including Hawaii, was 3,044, and the departures to Japan for the same period was 1,590. According to the census of 1910 the number of children fifteen years of age and under in Continental United States was 4,972. From these various data, which have, however, made no allowances for deaths, it is clear that there are now on the Pacific coast more than 20,000 Japanese youth and children.

Since 1897 records have been kept of the occupations of immigrants and emigrants of the different races. A summary of the statistics for Japanese discloses the following facts:

The total number of immigrants classified as "professional" (1897–1916) is 5,587 and of "skilled" is 8,226. The number of immigrant "farm laborers" was 76,925, of "farmers" 19,724, of ordinary

"laborers" 12,935, and of "merchants" 10,729. No classified records for the whole period of those departing are available.

Between 1909 and 1916 classification of occupation of emigrant departures as well as of immigrant arrivals are given.

JAPANESE ARRIVALS OF IMMIGRANTS AND DEPARTURES OF EMIGRANTS BY OCCUPATION (1909–1916)

	Arrivals	Departures
Professional	2,312	4,545
Skilled	1,288	643
Miscellaneous (including women and children)	47,783	12,466
Total	51,383	17,654

The reader must not be misled by these figures into thinking that the Japanese population in the United States has increased by 33,734, for this table deals only with immigrants and emigrants. No statistics of non-immigrants and non-emigrants by occupation are available.

The distribution of the Japanese in the different sections of Continental United States is disclosed by the figures from the census given in the table on the opposite page.

If Japanese in Alaska (913), the Hawaiian Islands (79,675), and elsewhere are included, we secure a total of 152,956 Japanese living within the United States and its possessions (not including the Philippines).

The Commissioner of Immigration gives certain annual statistical reports dealing exclusively with Japanese and distinguishing between the Hawaiian

DISTRIBUTION OF JAPANESE POPULATION

Census	1880	1890	1900	1910
Total United States..	148	2,039	24,326	72,157
New England.....	14	45	89	272
Middle Atlantic.....	27	202	446	1,643
East North Central..	7	101	126	482
West North Central..	1	16	223	1,000
South Atlantic.....	5	55	29	156
East South Central...	....	19	7	26
West South Central..	....	42	30	428
Mountain.....	5	27	5,107	10,447
Pacific.....	89	1,532	18,296	57,703

Islands and Continental United States. There are various classifications but there is no indication as to which are immigrants and which are non-immigrants. These tables throw important light on the general character of the movement of Japanese to and from the United States. They begin with 1908. Since, however, the "gentlemen's agreement" became effective in 1909, we will confine our attention to the period 1909–1916. The material is rendered less valuable by reason of the fact that two different classifications by occupations are given, one prevailing for four years (1908–1911) and the other for five years (1912–1916). They differ so much that it is impossible to combine their details for the entire period. In the first period the division is between

laborers and non-laborers, in the second period between "professional," "skilled," "miscellaneous," and others without occupation.

We present first the general summary of arrivals and departures.

JAPANESE ARRIVING AND DEPARTING BY OCCUPATION (1909–1916)

	Continental U. S.		Hawaii	
	Arriving	Departing	Arriving	Departing
1909–1911				
Non-laborers	7,162	8,796	934	2,477
Laborers	2,150	7,101	4,245	4,720
Total	9,312	15,897	5,179	7,197
1912–1916				
Professional	1,929	1,511	1,160	345
Skilled	1,967	1,802	532	424
Miscellaneous	20,800	23,153	15,119	10,024
No Occupation (women and children)	14,024	3,807	2,690	2,212
Total	38,720	30,273	19,501	13,005
Grand total	48,032	46,170	24,680	20,202

We note first a slight discrepancy between the totals given here and those given earlier in this chapter of arrivals and departures of immigrants and non-immigrants, emigrants and non-emigrants. The total of those here given of arrivals in Continental United States and Hawaii is 72,712, and departures 66,372, giving an increase of population by 6,341. There the arrivals of immigrants and

non-immigrants are given as 73,457, the departures as 66,605, making the increase of population 6,852, a difference of 511. No means are given for checking this discrepancy.

NOTE: The multitudinous statistical tables given by the Bureau of Immigration in its annual reports are remarkably correct and tally well with each other as a rule. Yet occasional slips occur. The totals of arrivals of Japanese in Continental U. S. and in Hawaii for the years 1913, 14, 15, and 16 agree as given in Table IV and in Tables *E* and *F* of the Immigration Bureau reports; but they do not agree for the years 1909, 10, 11, and 12. In these four years 573 more Japanese were admitted according to Table IV than according to Tables *E* and *F* of the report. To take a single year for example, consider 1912. On p. 70 of the report for that year (Table IV) the total admission of Japanese immigrants and non-immigrants is given at 8,574.

According, however, to Tables *E* and *F* (pp. 161 and 162) the total arrivals were 8,589 (males, 4,261; females, 4,328), a discrepancy by excess of 15.

But if we refer to Tables VII and XIII of the bureau's reports (pp. 74 and 118) for that year we find that 4,231 males and 4,515 females were admitted, a total of 8,746. The discrepancy between these two tables (*E* and *F* compared with VII and XIII) is 157. If totals from Table IV (8,574) are compared with totals from Tables VII and XIII (8,746) the discrepancy is 172.

The result of this comparison of tables for the year 1912 is to show that they may not be accepted as exact. The same applies for the years 1909, 10, and 11. Further effort to show the discrepancies will hardly be worth while.

According to the table before us the increase of population in Continental United States by arrivals over departures was 1,862, while the increase in the Hawaiian Islands was 4,478.

According to the classification used between 1908–1911 "farmers" and hotel and restaurant keepers are classed among "non-laborers." On the basis of this classification while 12,665 non-laborers entered and 11,529 departed from Continental United

States, 6,191 laborers entered and 9,164 departed. In the Hawaiian Islands, on the other hand, more "laborers" entered than departed, the respective figures being 9,946 and 8,248.

For the period 1912–1916 the classification distinguished between professional, skilled, miscellaneous, and others without occupation including women and children. Of the two former classes, more entered both divisions than departed, but in the case of the miscellaneous, which consists largely of "laborers," more left Continental United States than arrived (23,153 to 20,800), while in the Hawaiian Islands more entered than departed (15,119 to 10,024). The difference is particularly marked in regard to the arrivals and departures of farmers, farm laborers, and laborers in Continental United States, their combined arrivals (1908–1916) amounting to 16,613, while their combined departures for the same period amounted to 25,066, a diminution, therefore, of 8,453. In the Hawaiian Islands, on the contrary, the situation is quite reversed. There are no farmers there to speak of. Between 1908–1916 the total arrivals of farm laborers amounted to 23,100, while their total departures amounted to 17,436, showing an increase of 5,664.

From these evidences we infer that the Japanese *labor* population in Continental United States is distinctly decreasing, while in the Hawaiian Islands it is distinctly increasing.

Still another table is given in the successive annual reports of arrivals and departures showing the number of applicants for admission and of those admitted, debarred, deported, and departed for the years 1909–1916. Their summary is herewith given.

JAPANESE ADMITTED AND DEPARTED TO CONTINENTAL UNITED STATES AND HAWAII (1909–1916)

	United States	Hawaii	Total
Applicants	49,030	25,282	74,201
Admitted	48,032	24,680	72,712
Debarred	1,007	580	1,587
Deported	899	6	905
Deported	46,170	20,202	66,372

Attention should be called to the distinction between those debarred, deported, and departed. Those debarred have not been allowed to enter, while the deported refers to those who have entered and for one reason or another have been arrested and sent out of the country. Those deported are included in the statistics of those departed. A comparison of these figures with similar figures for the Chinese indicates that the latter suffer from a much more drastic treatment at the hands of administrative officials than do the Japanese.

A compilation of all the figures given by the Immigration Bureau as to immigration to and emigration from Continental United States and Hawaii separately gives another important set of facts.

We learn, for instance, that between 1909 and 1916 there were admitted to Continental United States 30,465 immigrants, while only 11,304 emigrants departed, making an apparent gain in population of 19,161 instead of 1,868, as shown above. This illustrates once more the fallacy of trying to balance immigrants and emigrants. Emigrants who leave for good come largely from non-immigrants who come to the United States for only a temporary visit, while immigrants come for a permanent stay. The bureau does not give the statistics similarly classified of non-immigrants and non-emigrants, distinguishing between Continental United States and Hawaii. The figures for immigration to and emigration from Hawaii are 20,918 and 4,960 respectively, giving an apparent increase of population of nearly 16,000, whereas the real increase for this period, as has already been shown, was 4,479.

Special statistics are given by the bureau showing various details bearing on the "gentlemen's agreement," and distinguishing between Continental United States and Hawaii. From summaries of these statistics we derive the following facts:

The total admissions of Japanese of all classes to Continental United States between 1909 and 1916 were 48,333, of whom 19,874 were male non-laborers, 16,747 were female non-laborers, 9,315 were male laborers, and 2,397 were female laborers.

Of the 48,333, 18,966 were classed as "former

residents"; that is to say, those who had already been in the United States before; of these, 10,137 were male non-laborers (1,393 females) and 7,146 were male laborers (190 females).

Of the 48,333, moreover, 21,789 were either parents (289), wives (15,885), or children (5,615) of former residents. Of the females, 14,867 belonged to the "non-laboring" class, while 1,962 were classed as "laborers."

Those recorded as wives without other occupation numbered 13,918 for the period 1911–1916, the record reaching no further back.

An interesting distinction is drawn between former residents who had been in the United States prior to January 1, 1907, and those who had been here after that date. A compilation of those figures shows that between the years 1909–1916 of the 19,697 admitted as former residents, only 762 had resided in the United States before 1907, while 18,935 had resided here since 1907. This shows that few of those who came to America before 1907 return to the United States on leaving it, while those who do return have come here since the "gentlemen's agreement" went into effect.

There is an astonishing apparent discrepancy between the two figures given for "former residence," the total according to one classification being as given above, 18,966, and the other 19,697. The explanation is that, whereas the former figure in-

cludes only those who had proper passports, the latter includes also those who did not have proper passports.

Similar tables with regard to the Hawaiian Islands give the following results:

Total admissions (1909–1916) amounted to 24,760, of whom 3,243 were male non-laborers and 2,505 were female non-laborers, while 7,101 were male laborers and 11,911 were female laborers.

Of these 24,760, some 6,470 were classed as former residents, and 17,439 either as parents (889), wives (11,299), or children (5,251). Those recorded as wives, without other occupation (1911–1916), were only 876, while the number of children admitted during the same period was 1,322.

Of those who were admitted as former residents 2,251 had resided in the Hawaiian Islands prior to January 1, 1907, while 4,317 had resided there since 1907, giving a total of 6,568. The difference between the figures for former residents given in the preceding paragraph and in this is doubtless due to the fact that those in the former figure (6,470) were possessed of proper passports, while the latter figure (6,568) includes some who did not have proper passports.

In view of the fact that since 1906 practically no Japanese have been allowed to naturalize, the report of the census for 1910 (vol. I, p. 1070) in regard to the citizenship of Japanese twenty-one years of age and over is a distinct surprise. It appears

that out of 56,638 Japanese of the specified age, 209 are American-born citizens, while 420 have been naturalized, and 389 more have their first papers. The table shows how they are distributed in the different parts of the country.

The question is sometimes raised as to how many Japanese would become citizens were the opportunity given them. Mr. K. K. Kawami discussed the matter in 1907 (*North American Review*, vol. 185, p. 398). He estimated from the facts available that there were in December, 1906, about 50,000 Japanese males in the United States. Of course all who are here only temporarily would not desire citizenship, namely, government officials, students, day-laborers, domestics, etc. Those likely to desire citizenship would be those professional men, merchants, and farmers who are here for permanency. But many even of them would not desire it. Many who desired it, moreover, would not be able to qualify for lack of adequate mastery of English. He came to the conclusion that perhaps 3,000, or about 6 per cent, of the men then in the United States would be able to secure it.

Since that date the number of settled families has largely increased, being roughly between 20,000 and 25,000. Their degree of literacy has been constantly rising and also their economic status. No available statistics show what the occupations of the married men are. Very few of those who are not married will be likely to seek citizenship.

Taking the various factors into consideration, the conclusion which I have reached is that those who are likely to desire and who have the capacity to secure naturalization would be hardly more than one-third of the men having families in America. But this question will be considered more at length in the next chapter.

Statistics of Japanese in the United States do not include those in the Philippine Islands. While it is no part of our purpose to consider the Japanese and Chinese situation there, in view of wild assertions often made of Japanese ambitions and sinister plans in regard to those islands and of the large numbers already there, the following figures received from the Department of War are enlightening.

Fiscal Year	Arrivals	Departures
1904	2,770	284
1905	1,167	827
1906	277	371
1907	374	273
1908	381	266
1909	321	269
1910	552	108
1911	795	160
1912	632	172
1913 (18 months)	2,163	824
1914	1,219	626
1915	983	724
1916	1,574	771
Totals	13,208	5,675
	5,675	
Balance remaining	7,533	

The first census in the Philippines was taken in 1903, at which time there were 921 Japanese recorded. The total Japanese population, therefore, of those islands in 1916 was 8,454. This reckoning takes no account of births and deaths.

CHAPTER XII

SITUATION ON THE PACIFIC COAST

In order to appreciate the real Japanese situation on the Pacific coast the reader should not only know the facts in regard to the number of arrivals, departures, literacy, sex proportions, marital conditions, and similar matters as given in the preceding chapter, but also their financial status, their proportions to other peoples, and particularly the readiness and success with which they adapt themselves to American life. An entire volume might well be given to a presentation of these facts.

We begin this study with a comparative table that throws much light on many questions concerning the economic situation.

JAPANESE FARMERS IN CALIFORNIA[1]

	Totals	Japanese	Per Cent
Population	2,377,549	63,761	2.7
Population in cities	1,328,057	26,231	2.0
Population on farms	1,049,492	37,530	3.6
Farmers	88,197	7,495	8.4
Landowners	66,632	1,093	1.6
Tenant farmers	18,148	6,402	35.2
Total acreage of farms	27,958,894	300,470	1.1
Average acres for one farmer	317	40	12.0
Value of properties of farmers	$1,614,694,584	$15,053,000	0.93
Average value per farmer	$18,308	$2,008	11.0
Aggregated farm products	$355,710,389	$33,079,160	9.0
Average for one farmer	$3,806	$4,414	110.0

[1] Taken from the report of the Dendo Dan, 1916.

FARM PRODUCTS CLASSIFIED

	Totals	Japanese
Fruits	$87,750,000	$3,801,540
Grapes	30,500,000	2,303,576
Vegetables	25,850,000	9,685,145
Potatoes	10,600,000	1,708,065
Berries	1,789,314	1,652,000
Beans	10,000,000	1,353,040
Sugar-beets	14,000,000	1,615,510
Cereals and hay	81,100,000	1,058,006
Onions	2,960,000	974,855
Asparagus	3,100,000	1,428,750
Seeds	2,500,000	530,850
Flowers and plants, etc.	3,601,000	418,200
Hops	4,000,000	290,500
Rice	800,000	300,000
Dairy and poultry	53,369,389	700,000

Particular attention is drawn to the following facts disclosed in the foregoing table. While the Japanese in California constitute 2.7 per cent of the total population, a clear majority lives and works in the country. Of landowners Japanese constitute only 1.6 per cent, while of tenant farmers they constitute 35.2 per cent. The average value of the property owned by one farmer in California is $18,308, while that of the Japanese farmer is only $2,008. On the other hand, while the value of the average production of one farmer is $3,806, that of the Japanese farmer is $4,414.

It may be worth noting in this connection that besides Japanese and Americans engaged in farming there are representatives of many other races also,

such as Chinese, Mexicans, Armenians, Syrians, and others.

In regard to the crops, Japanese produce a large proportion of the vegetables ($9,685,145 out of a total of $25,850,000 worth), raise almost the entire berry crop ($1,652,000 out of $1,789,314), and produce $1,428,750 worth of asparagus out of a total of $3,100,000 worth.

The above table shows also those crops in the production of which Japanese take only a slight part, such as fruits, grapes, cereals, dairy and poultry products. Evidently, in spite of their relatively small population, Japanese are making a contribution of high value to the economic prosperity of California.

We are, however, primarily interested in the question of Japanese social adaptation to environment. What are the principles and also what are the facts?

The fundamental principles that control the Americanization of aliens from Europe hold also in the case of Asiatics. The matter is one of education. It is, indeed, more difficult for a Japanese or Chinese to master English than for a German or a Frenchman, and the process, therefore, of Americanization so far as the intellectual elements are concerned is correspondingly more difficult for an Asiatic than for most Europeans. On the other hand, it has been found that Japanese are especially diligent in learning English, many of them surpass-

ing in their attainments many of the immigrants from Europe. Their natural handicap is in many cases more than overcome by their diligence and zeal.

The acquirement, however, of the emotional factor in Americanization has been peculiarly difficult for Asiatics. Many elements have combined in producing this situation, some of them due to the social inheritance of the Asiatics themselves; others due to the economic, personal, legislative, and social treatment they have received here. These elements have conspired to prevent the rise of those feelings of harmony, sympathy, and unity of the Asiatic alien with the American community and the nation which are essential to loyalty and to patriotism.

In spite, nevertheless, of intellectual, emotional, and even legal obstacles, the processes of Americanization have been going on among Asiatics in America. These facts of actual experience should be widely known, for they throw highly important light on the problems we are studying in this volume.

Let us first consider what has actually been taking place among thousands of Japanese adults.

The argument commonly urged is that Japanese not only do not wish to become American citizens, but that they could not do so even if for selfish or economic reasons they might wish to. For a Japanese, it is urged, is so devotedly loyal to his Emperor, whom he venerates and even worships, that it is not conceivable that he could desire to give up that

loyalty. That this idea is widely accepted is due not only to American writers but also to Japanese. Japanese loyalty is indeed world-famed. It has been idealized by brilliant writers in such terms as to leave the impression that it is unique, sui generis, the like of which is to be found in no other land. Japanese patriotism is often conceived as a biological trait. It is regarded as inherited by birth, predetermined for each person by his heredity as is the slant of his eye and the color of his hair. It is, therefore, so they argue, biologically as well as psychologically impossible for a Japanese to abandon his loyalty to Japan and become in reality a loyal American.

That this view should be widely held is by no means strange, for many facts seem to support it. It is, nevertheless, an error. It is due in part to insufficient knowledge and in part to faulty theories of biology and psychology. Patriotism is, as can be abundantly shown, a postnatal, intellectual-emotional affair; it is in no sense whatsoever a matter of biogenics. The assertion, therefore, that no Japanese could possibly desire to expatriate himself and become a citizen of an alien land is faulty in theory and as we shall soon see refuted by facts.

When Japanese laborers first came to the United States, they of course did not come as immigrants with wives and children, planning to settle permanently in the new land. They came rather as ad-

venturers, to earn money in a land where labor is scarce and wages high. They had no knowledge of the English language, nor of American customs. They followed the laws of demand and supply in the labor market; they worked in the fields, on the railroads, in the laundries, as cooks and servants, and wherever they could earn good wages. Being all young men, free adventurers, they roved from place to place, without sense of responsibility. They came to America with the definite expectation of returning sooner or later to their native homes with accumulated wealth. Frequent clash with employers, some of whom they found unreasonable, and others at their mercy, was a natural result of these conditions. Contracts were broken, strikes were sprung on employers, obligations were ignored, and many an unfair advantage taken by Japanese labor bosses and gangs. Immoral conditions, moreover, could not fail to develop.

And yet these undoubtedly true statements derogatory to Japanese should not be made without also pointing out the fact that white employers not infrequently took advantage of the Japanese; exorbitant prices were often charged for leases and for land; Japanese were tricked in horse trades; contracts outrageously unfair were frequently presented which the trustful Japanese, who could not read nor understand, would, nevertheless, sign. The stories told by Americans of Japanese wrong-doing are well

matched by the stories of American wrong-doing told by Japanese. It is probably impossible to strike a balance. But it is not necessary. Both sides were at fault and had much to learn.

But we should now add with great emphasis that on both sides there were many honorable men who sought to deal justly and honestly with each other. Without question there were real difficulties, due to differences of race, of language, and of customs. Each side, without intention of wrong, often did things in perfect innocence that appeared over-reaching and deceitful to the other. The rascals were doubtless a minority. There were, however, enough scamps on both sides of the race fence to create a situation of great irritation and of real difficulty, each side having no small amount of fact and right in its statement of grievances.

Under these conditions it was inevitable that anti-Japanese feeling and agitation should develop. Reasons for it, some good and some bad, would be assigned. A common charge has been that Japanese are "undesirable," that they do not come as immigrants with wives and children to settle down, lead responsible lives, and become regular Americans as do immigrants from Europe. Another charge widely urged has been that Japanese are "non-assimilable." Among intelligent and responsible Americans grave doubts began to arise as to what might happen. All agreed that Japanese immigra-

tion should in some way be stopped. Serious consideration was being given by Americans to the needful legislation when, to the satisfaction of all concerned, an offer was made by the Japanese Government (1907) known as the "gentlemen's agreement." By it Japan, recognizing the real difficulty that was arising in California, agreed to stop her labor immigration to the United States. The statistics already presented show how that immigration had been growing apace, and how effectively it has been restrained by the faithful administration of the "gentlemen's agreement" on the part of the Japanese Government, without any legislation on our part.

A new period, therefore, in American-Japanese relations began in 1909. Relatively few new Japanese have come to enter into competition with Americans. As has been shown with much detail, many have in this period returned to Japan. The new conditions have brought important changes in the mutual attitude of Japanese and Americans. They have been learning important lessons in mutual adjustment and co-operation. The strain of increasing difficulties has passed.

We are concerned in this chapter, however, particularly with that which the Japanese have been learning. Many thousands of them have been here ten or twelve years. When the tide of Japanese immigration stopped, the scale of wages paid to

Japanese began to rise until now they earn practically the same as white men. In some kinds of work for which they are particularly fitted they actually earn more than white men.

With their lengthening stay, moreover, they are losing their early dreams of making a fortune in a few years. They are learning that they must work long and hard, diligently and honorably, if they are really to succeed. This has led to a rather important sifting out of the reckless, the improvident, the impulsive, and the irresponsible; these classes have been returning steadily to Japan, while the more faithful, successful, and responsible ones are holding on.

Many thousands, moreover, who have acquired property and a bank-account have, during the past few years, returned to their native land for a visit. Before coming to America they had lived, not only on a lowly scale of life, but under conditions of severe social as well as political pressure. The family system, the police surveillance, the heavy taxation, their treatment as inferiors by fellow Japanese of higher social rank, and their exceedingly limited economic opportunity—these early experiences vividly recalled and somewhat experienced on their return to Japan, all in such contrast with their years of freedom, opportunity, and fairly equal treatment in the United States, soon produced in the breasts of many a revulsion against life and con-

ditions in Japan and growing appreciation of America and its customs, ideals, and government. In a word, quite unconsciously to themselves a process of Americanization had been going on during their years of American life the results of which first came clearly to consciousness on their return to Japan.

These considerations and influences have led thousands to the determination to make America their permanent home and the home of their children. On returning to America they have brought their wives and children with them, if they were already married, or have sent for them as soon as they could arrange for it after reaching America. If they were not married they either married and took their brides with them to America or, after returning to the United States, they soon sent for a wife selected by the parents. This new attitude and spirit has taken hold also of thousands not so well off. Though unable to return to Japan for a visit, they have decided to settle down permanently in America. They too have made arrangements for the coming of young women to be their wives. As this is done with the aid of photographs, the securing of wives in this way is often called the "picture-bride" movement.

This change of mind has profoundly transformed both the spirit and the character of large numbers of Japanese in America as well as that of those now

coming here. They are here for relatively permanent residence. They now desire to become thoroughly adapted to their new life and opportunities. Many are studying English zealously.

There are already, as we have shown, many thousand Japanese families. Already many thousand Japanese children are beginning to attend American schools in every section of the Pacific coast. Japanese men by marrying and rearing families have "given hostages to fortune." It makes them more responsible; they must settle down and accumulate property.

A better understanding, moreover, is developing in the mutual relations of American and Japanese labor. Not a few events have happened in California during the past three years that indicate these changes in attitude. For many years the relations between the American and Japanese restaurants and waiters were far from pleasant. As the result, however, of much quiet work the following amazing thing happened. When the union waiters went out on strike (August, 1916), all the Japanese waiters did the same, although they were not members of the union. And, still more surprising, the restaurants were unable to employ any Japanese as strike-breakers! This loyalty of the Japanese has overcome many misunderstandings and animosities, and has started a new spirit in the relations of organized labor to Japanese labor.

Another fact. Mr. Scharrenberg, secretary of the California State Federation of Labor, stated (September, 1916) in the San Francisco Central Labor Council that he felt that the time had come for a more liberal attitude toward the Japanese and suggested that the time might soon come when they would be received into the unions.

The causes for this improvement may be suggested in a few words. First of all, Japanese themselves are learning American ways and the English language, as we have already noted above. Then, many excellent people in California, both Americans and Japanese, have been exerting themselves in many little yet effective ways to correct the mistakes and misunderstandings of the past. We must also mention the splendid way in which Japan did her part to make the Panama Pacific Exposition successful, that spared neither effort nor expense, and that effectually introduced Japan to multitudes of Californians who had had no conception of Japan's real place among the civilized nations.

But what is perhaps the most important factor making for understanding and more friendly relations between American and Japanese labor was the coming to this country in the summer of 1915 of two Japanese labor delegates, Messrs. Suzuki and Yoshimatsu. The first suggestion for an exchange of fraternal delegates by American and Japanese labor was made to the writer in November, 1914, by

Mr. Scharrenberg. The suggestion was taken to Japan by the writer early in 1915, and the delegates arrived in San Francisco in July of that year. They were accepted and seated by the California State Federation of Labor, and were given opportunity to speak in many Central Labor Councils throughout the State.

They also attended the Convention of the American Federation of Labor held that year in San Francisco (November, 1915). At that time Mr. Shima gave a dinner at which the two delegates from Japan, with President Gompers and Secretary Scharrenberg, were the special guests of honor—the first time that the official leaders of American and Japanese labor had ever sat down to a common meal and exchanged friendly greetings. It was on that occasion that one of the leaders of organized labor in San Francisco, Mr. McArthur, made the humorous but significant remark to Mr. Suzuki: "The more I see of you the less you look like a Jap."

The results of that four months' adventure of Japanese labor delegates in California were so satisfactory that the following year (September, 1916) Mr. Suzuki came again, this time attending also the annual convention of the American Federation of Labor held at Baltimore. He brought with him from Japan invitations to Secretary Scharrenberg and President Gompers to visit Japan as fraternal delegates! The letters which he brought are of his-

toric interest because of the fact that they were the first official communications of Japanese labor to American labor, and also because of their remarkable contents. It is a misfortune that they have not received more public attention. On account of the war, it is natural that neither of these invitations could be accepted. It is to be hoped, however, that in due time both Mr. Scharrenberg and President Gompers will visit Japan as fraternal delegates from the national and State organizations of the American Federation of Labor to the labor of Japan both unorganized and organized.

Particularly effective evidence of improving relations were the four resolutions offered by as many different labor unions at the California State Federation annual convention (October, 1916) proposing to authorize the organization of Japanese in the unions. The resolutions were referred to the executive committee for full consideration.

Mr. Suzuki's welcome at the annual convention of the American Federation of Labor held at Baltimore, in November, 1916, was also a notable event. His address was repeatedly interrupted by applause. Mr. Scharrenberg raised the money for a memento presented to Mr. Suzuki on behalf of the Federation by President Gompers. It was a diamond-studded gold watch-fob with a suitable inscription.

Mr. Suzuki also attended as a fraternal delegate the annual meeting of the International Seamen's

Union of America, and was presented with a handsome gold medal.

On December 17, 1916, the *New York Tribune* devoted a full page in large type to a description of Mr. Suzuki and his work. His photograph was entitled, "The Gompers of Japan," while that of President Gompers was entitled, "The Suzuki of America," and between them was a composite photograph of the two, a man handsomer, brainier, and more forceful than either!

"I used to think that danger might sometime threaten us from across the Pacific, but since meeting the fraternal delegates from Japan to the American Federation of Labor I am convinced that the workers of Japan do not want war with us any more than the workers of America want war with them."

These are words of great significance, seeing that they were spoken in San Francisco (September, 1916) by Mr. Scharrenberg, secretary of the California State Federation of Labor, before an audience of more than 4,000 who cheered him heartily.

A sign of the new situation perhaps as significant as any is the fact that the "Legislative Programme" of the California State Federation of Labor for the winter (1916–1917), for the first time in many years made no reference whatever to Asiatic problems. This, of course, is not to be interpreted as showing any diminution in their opposition to free immigration, but only as indicating a better understanding

of the effects of the "gentlemen's agreement" and a better attitude toward Japanese now in the country.

Still another evidence of the new spirit arising in California may be found in connection with the use of the public tennis-courts in Oakland. If Japanese presumed to hold a court when Americans wanted it, difficulty was sure to arise, harsh words and looks would be hurled at them, and occasionally even stone-throwing was resorted to. This was the situation five years ago. According to my informant, that situation has quite thoroughly changed. Japanese tennis-players now enjoy the same opportunity and treatment as others. Though only a straw, it tells an important story of change in the popular attitude.

During the summer and autumn of 1917 several Japanese missions, embassies, and committees came to the United States. It seems that the parliamentary mission, of which Doctor T. Masao was chief, felt some anxiety before reaching California as to how they would be received and treated, particularly in California. The experiences of Japanese in former years in California still reverberate in Japan. Even eminent visitors from Japan have on occasion been subjected to insult and humiliation.

This parliamentary mission, however, much to their satisfaction, received nothing but the most cordial treatment wherever they went. In no city of the United States was their reception more friendly

than in San Francisco. While a suitable welcome was to have been expected from State and city officials, and from the Chamber of Commerce of San Francisco, the representatives of organized labor were hardly expected to show the same manifestations of cordial good-will. Such, however, was the case.

Mr. George Shima, popularly known as the Japanese "Potato King," gave a dinner to the mission, which several representatives of organized labor also attended. According to the statement of Doctor Masao, the frank conference which there took place in regard to Japanese labor in California and in Japan, and as to methods for meeting such difficulties as still remain in the economic competition of Japanese with American labor, was exceedingly satisfactory to all concerned. At that conference Mr. Murphy, president of the California State Federation of Labor, was present and also Mr. Scharrenberg, its secretary-treasurer, "the man behind the throne."

So cordial were the relations established, that an official letter of introduction for the entire mission to Mr. Samuel Gompers, president of the American Federation of Labor, and the other officers at Washington, was given them by Mr. Scharrenberg on behalf of the California State Federation.

On their arrival in Washington, the executive council of the American Federation of Labor was

in session. President Gompers took the opportunity to introduce the entire parliamentary mission to the entire executive council, on which occasion again frank and friendly addresses were made on both sides, and further progress was attained in mutual understanding and good-will.

Members of the special war mission from Japan, of which Viscount Ishi was head, also reported the same unexpectedly cordial and delightful welcome on their arrival at San Francisco.

These encouraging signs of a better attitude, however, should not make Americans feel that all problems have been solved. Not until immigration and naturalization laws are placed on a universal basis, free from humiliating race discrimination, shall we reach a fundamental solution of the problem of our relations with Japan and China.

Of the Japanese now in America, however, how many would become American citizens were the opportunity given them? Some Americans assume that all would do so immediately, and, as "they would surely vote in a solid body and for their own race interests, the evils of giving them the suffrage would be serious," they argue.

This matter has received attention on each of my visits to the Pacific coast. My conclusions are about as follows: There are in Continental United

States, roughly speaking, about 35,000 women and young children. Of the men, only those who have considerable education, who have acquired property and families and have definitely made up their minds to stay permanently here would desire to secure citizenship; in other words, only those who have something at stake and occupy positions of responsibility.

Of those who would desire citizenship quite a proportion would probably be unable to secure it because of insufficient mastery of the English language. This would apply particularly to the women. It is not a difficult matter to get a smattering of English; but for a Japanese to get enough to read readily the daily paper and to converse freely with Americans, is a matter of great difficulty, which only a small proportion of the Japanese in America could accomplish. If out of the 60,000 Japanese men in Continental United States more than 10,000 would be able to qualify linguistically for citizenship within five years, it would be surprising. In considering this matter it is to be remembered that of the Japanese in America tens of thousands have only limited education in their own language; they are not students, and do not have the habits of mind necessary for the mastery of English.

The question will, of course, be raised by some whether or not Japanese who might qualify linguistically would make loyal Americans. Only experi-

ence can confirm or disprove the suspicions and the assertions of critics. I may, however, record my belief that Japanese and Chinese would make just as loyal American citizens as we receive from any other land. The Japanese would, I believe, rank especially high in matters of loyalty, since their moral education for centuries has been along the lines of loyalty. When once they have deliberately and legally severed their political obligations to Japan and have openly declared their adoption of America as the object of loyalty, I believe that their loyalty would be genuine and effective.

An illustration which Japanese themselves often use in discussing this matter is drawn from the political conditions of Old Japan when the country was divided into eighty-odd clans, each claiming the undivided loyalty of its people. The practical question not seldom arose as to the duty of a man who married into another clan; in case of war should he fight for the clan in which he was born, or for the clan into which he had married? The old moralists taught that, however his heart might shrink, it was his moral obligation to fight for the clan in which he was living and which had adopted him as one of its members. In this way he would prove to his adopted clan the noble quality of the manhood of the clan in which he was born. Similarly, they say, a Japanese who has been adopted into the national life of America by naturalization should and would be

loyal to his new obligations, even if in so doing he should be compelled to fight against the land of his birth.

This question has been frequently discussed in Japanese papers during the past six or eight years. For Japanese leaders of thought have come to realize that their earnest plea for equality of treatment for Japanese in America with that given to European immigrants cannot properly be heeded unless Japanese prove themselves capable of becoming true and loyal Americans, as do immigrants from other lands.

Those who are ignorant of the facts often assert that the laws of Japan forbid expatriation. This is, however, a complete misunderstanding. The constitution of Japan, proclaimed in 1889, made provision for it. Legislation, moreover, has been recently enacted (February, 1916) providing for the surrender of Japanese citizenship by Japanese children born abroad. By the American law, as we have already seen, children of aliens born in America are American citizens by the mere fact of birth here. This feature of the American law gives double citizenship to children of aliens of every race if only they are born in America. Now Japan's recent law provides that Japanese children, by the act of their parents, or of their guardians, may declare their choice of American citizenship and may thereby forswear their allegiance to Japan.

On the morning of the very day when this law was enacted the report was published in the metropolitan papers of Tokyo of addresses made by Hawaiian-born Japanese young men in celebration of Washington's birthday, declaring their American citizenship and their obligations to the United States, which they would loyally perform, even at the cost of fighting against Japan if need should arise. The proposed law was, nevertheless, passed unanimously by the Upper House, noted for its conservatism.

At the time of my visit to Japan with Doctor Shailer Mathews, representing the Federal Council of the Churches of Christ in America (February, 1915), I made frequent inquiry of Japanese leaders whether or not the nation would regard with equanimity the expatriation of thousands of Japanese in America should the privileges of naturalization be given them. The unanimous reply was that a decade ago such a proposal would have been received with storms of disapproval, but that Japan had come to see that if Japanese citizens with their families are going to remain permanently in foreign lands, in order to establish and maintain right relations with the people and government, naturalization in those lands with the surrender of Japanese citizenship would be essential and would not be resented. Doubtless there still remain some bigoted patriots in Japan who would regard expatriation as treason,

but the number I was assured was small and constantly diminishing.

In refutation of the notion that all Japanese are inevitably, necessarily, and eternally loyal to their Emperor, who is venerated and, some insist, is worshipped as deity, I may refer to the mortifying discovery of the police some eight years ago of a plot to assassinate the Emperor! Forty persons were implicated in the plot, of whom 24 were convicted, 12 suffering capital punishment and 12 life imprisonment.

Some Japanese in America are very earnest in their desire for privileges of citizenship. Several thousand Japanese live east of the Rocky Mountains, most of whom have secured high-school and many of them college education in America. Not a few of them have married American wives and are rearing families essentially American. Their years of life here have largely severed them from Japan. Were they to return to their native land they would find it difficult to establish fresh and satisfactory relations with their kindred and their people, and many of them would find it difficult even to make a living. Now the sense of being "without a country" is highly unpleasant to any one and especially to a Japanese. Such Japanese desire accordingly to acquire American citizenship. I well remember a dinner of welcome given me recently by a score of Japanese in a large American city, about one-half

of them being permanent residents of that city. One of the subjects discussed in the after-dinner speeches was that of American citizenship. Of the speakers one was particularly vehement in his plea that I should explain the real reasons why America refuses citizenship to Japanese. With tears in his eyes he told of his life in America of more than a score of years. In education, in heart, in ideals, in business, and in family relations (his wife is an American and also his children) he was really and truly an American, yet it was impossible for him to take the legal step that is allowed to men of other races and become in the full and official sense an American and be recognized as such.

If Americanization of Japanese has been taking place in spite of many artificial obstacles, what would the result be were wholesome conditions provided with educational facilities and assurance of welcome and citizenship to those who qualify? Can there be any doubt? No small part of the difficulty has been created by those who have regarded the problem as racial rather than as economic and moral. Advantage has been taken of the fact that Japanese are refused privileges of citizenship to make them, in certain States, the butt of race agitation and legislation. This has of course increased the race feeling on both sides. Under such circumstances, is it strange if not many Japanese have developed enthusiasm for America?

And is it not highly irrational to denounce Japanese for not developing American loyalty and patriotism when the conditions under which they live are so utterly unsuited for its development? Should the conditions be changed and citizenship with all its privileges be granted to those who qualify regardless of race, the sentimental temperament of the Japanese would unquestionably respond to the new situation and an exuberance of patriotic Americanism appear that would astonish pessimistic critics of Japanese character.

Thus far our attention has been directed to the Americanization of adult Japanese. But we must consider the case also of the American-born Japanese children. It may be stated at once that their complete Americanization differs in no respect from the Americanization of children of other races. All turns upon the education they receive, not upon their biological heredity. Japanese children attend American schools and are taught by American teachers. They develop American ideas, speak the English language, play with American children, and become just as thoroughly familiar with and controlled by American ideals as are the children of other races. Experience in these matters is only just beginning in California. In the Hawaiian Islands, however, the American education of Japanese children has been going on for some years; the results are now beginning to appear, which we shall consider in the following chapter.

In the Americanization of American-born Japanese an important factor is of course the spirit and atmosphere of the Japanese home. If the treatment received by the parents makes them bitter toward America, it can hardly fail to interfere with the wholesome Americanization of the children. It can hardly fail to disturb the emotional factor of the process. If Japanese children in America, though citizens by birth, are made to feel that their people are not given fair treatment, merely because they are Japanese, is there not danger that when they grow to adult life and become voters they may themselves become the objects of unfriendly treatment, develop resentment, and constitute a solid race group not fully Americanized nor properly incorporated into our national life? The danger, and also evil, of such a situation is self-evident. Who will be responsible for such an unfortunate condition?

Those who would refuse citizenship to Asiatics need to remember that it is impossible now to exclude from our land those Asiatics already here. They are here and they are here to stay. Their children are here and they have the right to vote as soon as they reach their twenty-first birthday. The problem, therefore, is this: Are we going to treat those Asiatics who are here in such ways as to diminish or in such ways as to increase the difficulties of the situation? The question before us is not that of immigration, large or small, or none at all. T

question is whether we are going to treat those whom we have already admitted, and shall in the future continue to admit, in such ways as to repel them and their children, setting them off as a group by themselves in perpetual alienation of spirit from our American life and government? *or are we going to give them that equality of political and economic right and opportunity as shall reduce the race alienation and the race problem to a minimum?*

The contention of this volume is that the refusal of naturalization privileges to Asiatics, in spite of qualification in every non-racial respect, will interfere with the best Americanization of Asiatic children born in America and will tend to fasten permanently upon us serious race problems. *The surest and best method for avoiding the race problem of white and yellow in the United States is to restrict immigration rigidly and then to grant complete equality of political and economic privilege and opportunity to all who qualify in language and education.*

For an adequate understanding of the forces at work tending to Americanize the Japanese in California no one should overlook the evangelistic activities of Christian churches and the rise among the Japanese of Christian institutions. As soon as Japanese began to arrive in considerable numbers, missionary work for them was started both by churches in California and by mission boards. Much

energy has been expended in this direction. Four American representatives of as many mission boards and many Japanese pastors and evangelists are devoting their untiring energies to this work.

The Japanese themselves have become enterprising leaders. They have formed (1910) an Interdenominational Board of Missions (Dendo Dan) and are carrying a programme of activities that is highly valuable and promising both from the evangelistic standpoint and from that of Americanization. From their sixth annual report the following figures are secured in regard to Christian work among Japanese in California.

There are 78 churches connected with 15 denominations (23 Methodist, 11 Presbyterian, 10 Congregational, 6 Protestant Episcopal, 5 Canadian Methodist, 4 Union, and 19 belonging to nine other denominations). The pastors and evangelists number 86, church-members 5,210, and Sunday-school attendants 2,591. The additions to church-membership during the year were 705. These churches maintained 34 schools for instruction in English, having 897 pupils. They also carried on 17 kindergartens, employing 25 teachers and attended by 641 children.

The Dendo Dan brings over from Japan from time to time eminent Japanese pastors and evangelists, or makes use of those who pass through California. In the winter of 1915–1916 it secured the services

of one of the most eminent and successful Japanese Christians, Reverend Paul Kanamori. He held services in 56 churches on the Pacific coast, at which 1,773 Japanese professed conversion. At the date of the report 614 of these had already joined the churches on confession of faith and 393 others were receiving instruction preparatory for membership.

The full significance of these facts can only be appreciated by one who knows how different is the attitude and spirit of a Japanese who has become a Christian from the attitude and spirit of those who either have no religious convictions whatever, or still cling to their ancestral faith compounded of Shintoism and Buddhism with more or less of superstition and magic. A Christian Japanese is ready to go more than half-way in establishing right relations with American neighbors. The difference is beautifully illustrated in the township of Livingston where a community of Christian Japanese has been built up and is living on the most friendly relations with Americans. No more important step could possibly be taken by American Christians in the Americanization of Orientals living here permanently than in providing adequate support for aggressive Christian work among these peoples from the Far East.

Two interesting cases of Americanized Japanese children may be cited at this point.

When the Anti-Alien Land Law was under hot

discussion and danger of war was widely believed, even the children in the schools of Los Angeles got wind of the situation. One day a little Japanese boy of ten or twelve, on his return from school, was found in tears by his father. For some time the father tried in vain to find out the trouble; he surmised that the boy might have had some trouble with his white schoolmates. At last, however, the little fellow sobbed out the words: "Papa, you know there is going to be war between America and Japan and I'll have to fight you 'cause you're a Jap."

The American-born daughter of a wealthy Japanese living in California one day suddenly exclaimed to her mother, after observing herself intently in the mirror: "Why, mother, how much I look like a Japanese girl!" Playing as she had so exclusively with her American playmates, she had assumed that she looked like them. Only when she reached her twelfth year did she discover that she was Japanese in appearance.

Particularly interesting cases of Americanization consist of Japanese children reared from infancy in American families. I am personally acquainted with two such cases, both girls. One of them, discovering her race when fourteen years of age, went through a season of deep spiritual rebellion. Physically she was Japanese. Mentally and spiritually she was completely American even to the extent of having an anti-Japanese spirit! The other I came

to know only as a young lady after she had graduated from Stanford University. She, too, was a thoroughly American woman in every respect save her physical features. Neither knows anything of the Japanese language, customs, ideals, or manners. They were and are as thoroughly American as any person of white ancestry. In both cases the biological heredity was completely Japanese while the social heredity was completely American.

With regard to the Americanization of Chinese in the United States the following statements will perhaps suffice. The census shows that in 1910 there were 8,463 American-born Chinese citizens twenty-one years of age and over, and 1,368 more who were naturalized. How completely any of these were in any proper sense Americanized we have no means of knowing. Certain considerations, however, in this connection may be helpful.

Until 1912, when the Chinese Republic was established, the entire trend of Chinese thought throughout the world was conservative. Wherever they went they had no idea of adopting new ways. It did not occur to them that they should adapt themselves to the peoples among whom they might be living, that they should learn to be assimilated to their new surroundings. The same is true of Anglo-Saxons who go to other lands—it does not occur to them to adopt the ways, ideas, and manners

of the people of those lands. But a new spirit has arisen within the republic. China is changing and all Chinese everywhere. They are entering into the life of the world. The queue is vanishing and all that it signifies. We now begin to see that Chinese can and do assimilate new ideas, and can be assimilated to new conditions.

The permanent Chinese population of the United States, as we have seen, is small. The families are few, as is also the number of their children.

The anti-Chinese feeling on the Pacific coast has largely, if not wholly, passed away. In place of violent denunciation so common two or three decades ago, commendation of Chinese character and efficiency is now frequently heard.

The writer was recently told by a labor leader in San Francisco that the Chinese voters of San Francisco exercise their suffrage rights with discrimination and probity. In the public schools of the Pacific coast Chinese children are securing their education side by side with the children of the other races that make up our mixed population. Of the 6,978 Chinese between the ages of six and twenty reported by the census of 1910, 3,263 were attending school. These changes of American opinion and attitude are doubtless due to the substantial attainments in Americanization of the Chinese in America, and also to an adjustment to the Chinese on the part of the Americans.

CHAPTER XIII

SITUATION IN THE HAWAIIAN ISLANDS

THE Hawaiian Islands present a unique opportunity for the study of race contacts and transformations, particularly contacts of the white and yellow races. The writer spent the early years of his life in Hawaii. In the course of his trips back and forth across the Pacific during the past thirty years he has made several visits to the islands. In 1915 he visited fifteen plantations for the special purpose of studying the Japanese situation. The facts discovered were impressive. He prepared a paper which was later printed under the title "Hawaii's American-Japanese Problem." That pamphlet, together with governor's reports for 1915–1916, and the reports of the superintendent of public instruction and of the Chamber of Commerce of Honolulu for 1916, have been utilized in preparing the present chapter.

The native Hawaiian population, supposed to number some 400,000 when first discovered in the sixteenth century, early contracted fatal diseases from sailors and died off at an appalling rate. At the time of the arrival of the missionaries (1820)

already nearly one-half of the population had perished. The high death-rate was finally overcome, so that a small Hawaiian population survives to this day. Being a tropical people, they are unfitted for the monotonous hard toil to which inhabitants of the temperate zones are accustomed.

When, therefore, extensive cultivation of the soil became profitable and plantations developed, planters began to look for more efficient labor than that supplied by the natives. It was soon discovered that American laborers could not be induced to migrate to the tropical islands for agricultural labor under the broiling sun. The planters, therefore, during the later decades of the last century expended large sums in bringing to the islands in successive waves laborers from China, Portugal, Japan, Porto Rico, Siberia, and the Philippines. As one supply failed, for one reason or another, a new source was tapped. In consequence there is found to-day in the Hawaiian Islands a highly mixed population. According to the latest available statistics (June 30, 1916) the total estimated population of the islands is 228,771, classified as follows:

1. Japanese	97,000	7. American, British, German, Russian	16,042
2. Hawaiian	23,770	8. Porto Rican	5,187
3. Part Hawaiian	15,334	9. Spanish	3,577
4. Portuguese	23,755	10. Others	5,254
5. Chinese	21,954		
6. Filipinos	16,898		

In addition to these members of the regular population Governor Pinkham reported 8,445 men and officers in the army and 407 in the navy and marine corps.

In spite of serious danger throughout the last century from certain European nations, the islands maintained their political independence. The government in 1840 became a constitutional monarchy, and in 1894 a republic. At the time of the Spanish-American War (1898), at the request of the Hawaiian Government itself, the islands were annexed by the United States and have since been administered as a Territory. All who had acquired citizenship in the island government were accepted as American citizens, whatever their race. Since 1898 no Chinese have been allowed to be naturalized.

In spite of the small minority of Caucasians, only some 14,000 of whom are American and British, the authorized language of the islands is English—the one medium of communication between the races. The races have lived together with a remarkable spirit of good-will, mutual patience, and common effort to make a success of the experiment, into which they have unintentionally stumbled. They are seeking to show "how diverse races can live together without friction, in fair friendliness and mutual advantage."

One of the fundamental reasons why the experi-

ment has gone on successfully thus far is the spirit which had been planted by the missionaries among the native population prior to the advent of other races. Under the guidance of the missionaries who first reached the islands in 1820, not only did the Kings and princely families become Christians, but also a large proportion of the population. As early as 1825 the Ten Commandments were made by King Kamehameha the basal law of the land. Constitutional government was established in 1840, universal suffrage was granted in due time based on educational and property qualifications, rights of landownership, formerly confined to the royal family, were given (1848) to heads of families with suitable amounts of land, and the spirit of universal brotherhood was wide-spread among the people. As aliens of various races arrived, equal privileges were extended to all as they qualified, regardless of race.

As the number of alien laborers has increased in recent decades, constant effort has been made by the leading plantations, many of them under the control of descendants of missionaries, to maintain right relations with them. "From the beginning, then," says Professor A. F. Griffiths in his valuable article on the "Japanese Race Question in Hawaii" (*Journal of Race Development*, April, 1916), "the causes which have made for jealousy, suspicion, and friction were largely removed. Thus the equal-

ity of the races, fair dealing among men, a simple sense of the justice that ought to go out to the other man, were firmly established."

When the "gentlemen's agreement" (1907) was entered upon by Japan, Japanese immigration to Hawaii was affected no less than that to Continental United States. The total of Japanese arrivals at Honolulu fell from 8,694 in 1908 to 1,493 in 1909. The statistics of Japanese arrivals to and departures from the Hawaiian Islands have been carefully considered in the latter part of Chapter XI.

According to the census of 1910 the total number of males of all races in the Hawaiian Islands amounted to 123,099, of whom 54,784 were Japanese, many of whom, of course, were children. At that time the females of all races numbered 68,810, of whom 24,891 were Japanese. Since that date 13,746 Japanese females have been admitted to the islands, and about 3,400 have departed. There has accordingly been an increase by immigration of about 10,000 females. Since the total Japanese population has increased by immigration by only about 3,000, this means that some 7,000 more men have departed from the islands than have entered. The disparity between the sexes has accordingly diminished, the adult males numbering approximately 48,000 and the females 35,000, without making allowances for births and deaths.

According to the territorial statistics, from 1887

to 1894 (inclusive) some 1,338 Japanese children were born in Hawaii, of whom 600 were males and 638 were females, while from 1895 to 1914 (inclusive) Japanese births reached the high figures of 22,247 males and 20,352 females. For the years 1915–1916 the births of Japanese children were 4,606 and 4,639 respectively, as reported by the Japanese consul. An important item to be considered at this point is the large number of Japanese children who have been sent back to Japan. Full statistics are not at hand. For the years 1915–1916, however, the figures as reported by Governor Pinkham are 992 and 866 respectively.[1] Making allowances for deaths, for which we have no statistics, and for returns to Japan, it is nevertheless evident that a very considerable Hawaiian-born Japanese population is growing up in the islands, who are by our laws American-born citizens. Their number must be somewhere between 25,000 and 30,000. Those between six and fifteen years of age who are in the schools number 14,440. As the years pass the males will be entitled to register and to vote. This statistical situation suggests many important questions. What kind of citizens, for instance, will these Japanese children make? Will this Hawaiian-born Japa-

[1] It is to be noted, however, that these figures differ extraordinarily from those given by the Bureau of Immigration; according to this latter authority the total departures of children fourteen years of age and under from the United States (including Hawaii) for 1915 and 1916 were respectively 135 and 137. How to reconcile the governor's figures with those of the bureau does not appear.

nese citizenship amalgamate by intermarriage with the other races? These are questions of intense interest to all students of race problems. Although full statistics are not available, the following statements may be made:

The maintenance thus far by Japanese in the Hawaiian Islands of the purity of their race stock is one of the remarkable facts that merits consideration. The report of the registrar-general for 1914 classifies by race the marriages of the year. Of 3,149 marriages, 1,806 are Japanese-Japanese. One Japanese bride married an American and another married a Spaniard. One Japanese man married a Caucasian-Hawaiian, and 3 Japanese men married pure Hawaiians. That is to say: 6 Japanese married out of their race to twice 1,806 Japanese men and women that married within their race. These figures are in marked contrast to the intermarriage of the other races. Of 210 American men who married, 112 married American brides, the remaining 98 marrying brides of other races; 11 married pure Hawaiians, 25 married Caucasian-Hawaiians, 3 married pure Chinese, and 4 married Chinese-Hawaiians. Out of 102 Chinese men, 31 married pure Hawaiians and 9 married Chinese-Hawaiian women, only 58 marrying women of pure Chinese blood. While 1,806 Japanese women married Japanese men, only 2 married out of their race. Out of 806 brides of pure American, British, Ha-

waiian, Portuguese, and Spanish blood, 206 married grooms of other races than their own.

Statistics for 1915 and 1916 reveal the same general tendencies. For the year ending June 30, 1915, out of a total of 2,730 men who married, 1,413 were Japanese. Of these, 1,409 married Japanese brides and 4 married Hawaiians. Only one Japanese woman married out of her race, she becoming the bride of a Caucasian-Hawaiian. In contrast to these facts are those dealing with American marriages. Out of 212 American men who married, 83 married American brides, while 33 married Caucasian-Hawaiians, 22 married Hawaiians, and 44 married Portuguese. Of American women, 4 married Caucasian-Hawaiians and one married a Portuguese.

In 1916 there were 1,314 Japanese men who married, of whom 1,305 married Japanese brides, while 5 married Hawaiians and 4 married Portuguese. Of 223 American men, however, only 113 married American brides, while 30 married Caucasian-Hawaiians, 11 married Hawaiians, and 42 married Portuguese. While 3 Japanese women out of 1,308 married outside of their race, out of 132 American brides, 10 married British, 4 married Caucasian-Hawaiians, and 2 married Hawaiians.

Considerable inquiry has led the writer to infer that out of the whole number of Japanese families in the Territory, possibly as high as 30,000, there must be less than 100 cases in which the mothers

are Hawaiians. When Hawaiian-born and reared Japanese children begin to marry, it is doubtful if these tendencies will be maintained.

There is general agreement in the opinion that on most of the plantations no regular prostitution now exists, and also that the Japanese are more free from venereal diseases than any other race. Some of the physicians and managers made amazingly strong statements on this point. In the city of Honolulu, however, the situation seems to be reversed, Japanese prostitutes being found in relatively large numbers. A recent investigation of the red-light district showed that out of 107 prostitutes, 82 were Japanese.

Turning now to the social conditions of the Japanese the following statements may be made:

Examination in detail of more than a dozen "camps" showed that that name should be abandoned. They are villages rather than camps. A few plantations still use some of the old barracks. As a rule, however, they have been entirely given up. Each family has a home for itself. If the family is small, it has two rooms and a kitchen, two homes being covered by a single roof. Large families have an entire building. Each house has its own plot of ground. In many cases these are cultivated, but the custom is still far from universal. The apparent indifference of so many Japanese families to the appearance of their homes, whether

within or without, is a matter of surprise. Japanese in the Hawaiian Islands are distinctly inferior to Portuguese in this respect, though superior to Filipinos. Portuguese villages appear as a rule attractive, being well provided with trees and flowers, while Japanese villages as a rule are unattractive. There is, however, much difference between the various plantations in this respect. Much evidently depends on the plantation manager.

Particular inquiry was made in regard to Japanese financial conditions. I learned that while work which lasted two years or more was given on regularly recorded contracts, agreements for work for shorter periods, for work namely that would be completed in the course of a few months, were merely verbal. The fine relations of mutual trust and good-will displayed by this arrangement were highly impressive. The adjustment also of rates of payment, so that the laborer shares with the plantation the advantages or disadvantages of large or small crops, and also of high or low prices of sugar, evinced the desire of the managers to deal fairly with labor and also the confidence of labor in the honesty and fair dealing of the managers.

The fact that while Filipinos, Portuguese, Porto Ricans, and others as a rule are given only day labor, the long-period, profitable contracts are given largely to Japanese, speaks volumes for the superior ability and fidelity of Japanese labor.

The financial prosperity of the Japanese was also a cause of surprise. In addition to wages, every laborer is provided free of cost a house, tools, fuel, water, and medical treatment. During the past few years the housing arrangements have been greatly improved at a cost to the plantations of hundreds of thousands of dollars. Statements from Japanese workers show that while the minimum earnings for a year—receiving only day wages—amount to about $200, the total expenses of living for a single man amount to about $125, leaving thus a clear profit of $75. A man and wife with 2 or 3 children earn at the minimum about $260 and spend about $250, leaving only a small balance. Where a contract is taken the laborer still receives, free, house, fuel, etc. His income and savings depend on his energy and skill. A man and his wife can earn as much as from $50 to $80 per month. Exceptional cases run high. The highest earnings reported were those of two men who took a contract for the cultivation of a 25-acre field. The work was completed in 235 days, and for that period they received $1,856.50, being $3.95 per day each.

The system of making payments on contracts as the work is accomplished and also of providing a yearly bonus for all laborers who remain throughout the year and work an average of twenty days per month proves still further the desire of the managers to deal helpfully with their labor. Re-

ports (not complete) show that during three years (1912–1914) of the operation of the bonus system, the total amount distributed was over half a million dollars. The amount of the bonus depends on the average price of sugar for the entire year, and on the total earnings of the workmen for the year, a rather complex formula which, however, does not need to be explained here in detail.

In 1912, 15,994 workmen received $335,732 or $20.99 per man.

In 1913, 14,934 workmen received $48,716 or $3.26 per man.

In 1914, 15,985 workmen received $189,025 or $11.20 per man.

In these years the total number of Japanese laborers on the sugar-plantations was respectively 28,138, 24,711, and 24,732. Those who received a bonus, therefore, were more than half of the number employed.

In 1915 and 1916 the bonus is understood to have been very large, but the figures are not at hand.

The financial conditions of the Japanese must be looked at from several standpoints. Their deposits in the banks of Hawaii for the years 1914, 1915, and 1916 were $1,386,788, $2,494,594, and $3,896,830 respectively. Until 1912 Japanese sent home practically all their savings. When they began to think they might remain permanently in Hawaii they began to place their savings in the banks. In addi-

tion to the amounts on deposit, during the calendar year ending December 31, 1916, $1,110,753.33 were sent to Japan through the post-office, the number of orders being 40,905, an average of $27 to the order.

As rapidly as Japanese can do so they establish their own independent farming and business enterprises. Many of them start prematurely with insufficient experience and capital, and consequently fail. These disappear and are forgotten. Many, however, are succeeding. The report of the Governor of Hawaii, June 30, 1916, gives the number of independent business enterprises of the different races for the two principal cities.

	Honolulu	Hilo
Hawaiian and others	22	13
Portuguese	45	25
American, British, German	286	48
Chinese	673	64
Japanese	754	248
	1,780	398

These figures, however, do not give the relative amounts of business done. Out of 14,060 taxpayers on real property there were only 911 Japanese, while out of 12,067 taxpayers on personal property there were 3,553 Japanese. The total assessed value of real and personal property was $207,000,000, of

which Japanese owned only 2.1 per cent or $4,502,537 worth. Out of 2,525 persons in Hawaii paying income tax there were only 70 Japanese and 35 Chinese, Anglo-Saxons numbering 179 and Hawaiians 1,769. Corporations (388) paid 87.01 per cent of the income tax, Hawaiians paying 11.57 per cent, Anglo-Saxons 0.84 per cent, and Japanese 0.22 per cent.

The savings-bank accounts of Japanese (June 30, 1916) numbered 5,312, with a total of $510,829.89, being an average of $96.16 each. Chinese savings-bank accounts numbered 2,197, with a total of $660,234.46, giving the remarkable average of $300.51.

A question constantly asked concerns the tendency of Japanese children born in the islands to remain on the plantations. In Hawaii and Maui the invariable answer was that only a few do so; the large majority leave for Honolulu and seek an easier life than that of their parents. In Kauai and Oahu, however, many young people are taking up plantation work. Managers on the former islands regarded (1915) with anxiety the future of the labor supply. They expressed a desire for fresh immigration from Japan and China, while those on Kauai had no such anxiety or desire.

Important light is thrown on the question as to what kind of citizens Hawaiian-born Japanese are to make, by considering the fine school system

of the Territorial government. Efficient American teachers are doing truly missionary work in all parts of the islands. Children of all the races are together learning not only the three r's but the English language, the essentials of American history, and the principles of American democracy. They play together and together they sing our patriotic songs and learn to repeat choice quotations from our best statesmen—Washington, Franklin, Hamilton, Jefferson, Roosevelt. Flag-raising and observance of national holidays is an important part of school work.

In this connection the educational statistics on opposite page are important.

A summary statement of other tables given by the Superintendent of Education shows that of the total number of pupils in the schools in 1916 (39,024), 32,278 were in public and 6,746 were in private schools, which follow the same curriculum. Of the 14,440 Japanese children, 13,382 were in the public schools and 1,058 were in private schools. The number of public and private schools was 169 and 51 respectively, giving a total of 220.

Of the teachers (total, 1,171) 99 were Hawaiian, 233 part Hawaiian, 561 American, 55 Chinese, and 23 Japanese. Excepting the Americans, practically all the other teachers had been trained in the Normal School.

The percentage of attendance of pupils for 1916

PUPILS IN THE PUBLIC AND PRIVATE SCHOOLS OF HAWAII

	1900	1901	1902	1903	1904	1905	1906	1907	1908
Hawaiian..	4,977	4,903	5,076	4,803	4,983	4,943	4,906	4,658	4,767
Part Hawaiian...	2,631	2,869	2,934	3,018	3,267	3,430	3,500	3,546	3,691
American..	699	812	796	799	931	1,025	1,009	937	999
British....	232	240	215	217	226	268	187	220	189
German...	320	337	333	295	252	298	273	295	265
Portuguese	3,809	4,124	4,335	4,243	4,448	4,683	4,437	4,537	4,777
Scandinavian.....	....	....	....	....	....	....	82	81	67
Japanese...	1,352	1,993	2,341	2,521	3,313	3,869	4,547	5,035	6,095
Chinese....	1,289	1,385	1,499	1,554	1,875	2,087	2,197	2,548	2,797
Porto Rican	....	596	593	538	437	405	392	368	447
Korean....	....	....	....	....	....	....	161	210	168
Spanish....	....	....	....	....	....	....	....	....	....
Russian....	....	....	....	....	....	....	....	....	....
Filipino....	....	....	....	....	....	....	....	....	....
Other Foreigners..	229	260	260	337	285	636	199	652	594
	15,537	17,519	18,382	18,415	20,017	21,644	21,890	23,087	24,856

	1909	1910	1911	1912	1913	1914	1915	1916
Hawaiian.....	4,536	4,354	4,301	4,370	4,179	3,963	4,011	3,914
Part Hawaiian...	3,841	3,718	4,060	4,182	4,108	4,482	4,652	4,918
American.....	1,057	1,056	1,191	1,232	1,447	1,440	1,561	1,795
British.....	185	152	134	173	161	145	144	144
German.....	263	261	316	275	269	299	260	281
Portuguese.....	4,727	4,890	5,153	5,580	5,521	5,780	5,973	6,012
Scandinavian.....	....	....	....	....	....	....	....	....
Japanese.....	6,758	7,262	8,600	10,288	10,976	12,917	14,324	14,440
Chinese.....	2,840	2,872	3,184	3,839	3,625	3,886	4,008	4,070
Porto Rican.....	381	350	332	653	774	855	963	1,057
Korean.....	248	270	339	390	399	460	512	518
Spanish.....	....	....	....	592	1,037	1,069	1,008	940
Russian.....	....	....	....	116	157	144	159	156
Filipino.....	....	....	....	169	286	367	490	552
Other Foreigners..	579	585	805	411	200	181	164	227
	25,410	25,770	28,615	32,300	33,139	35,988	38,229	39,024

was 94.3. The spelling-test for the ten largest schools was 92 per cent. This is 6 per cent higher than the spelling-test of 84 schools in the cities of Continental United States, which followed the Russell Sage Foundation system of tests. Besides

the Normal School, there are four high schools, the total enrolment of which is approximately 1,000.

Vocational education has made great strides in all these schools in recent years, carpentry, cooking, and agriculture receiving special attention in scores of the larger schools.

Students of the Japanese problem in Hawaii will pay special attention to the "Japanese schools." On the occasion of my investigation (1915) I visited many of them and was surprised at their number, equipment, and fine locations. These facts are producing anxiety on the part of some Americans, who look upon these schools as part of a scheme of the Japanese Government to retain its hold on the Japanese population of the islands in order finally to annex them to the empire of Japan. An adequate understanding of the situation, however, will, I believe, remove these anxieties and suspicions. The following is a brief statement of the salient facts in the case.

Until the annexation of the Hawaiian Islands by the United States practically all laboring Japanese arriving in the islands came on three-year contracts. On completion of the contracts the vast majority returned to Japan. Upon annexation (1898) the contract system was abolished. Laborers then came as freemen, but still with no thought of permanent residence. Gradually, however, there came into being a community of Japanese who found them-

selves staying on from year to year, business opportunities and prospects being better in the islands than in Japan. Japanese women—wives—then began to come in increasing numbers. Japanese children in the public and private schools numbered only 1,352 in 1900. In 1906, however, they equalled the number of Hawaiian and Portuguese children. Since that date they have been passing far beyond them.

All Japanese in Hawaii were until about 1910 or 1912 expecting sooner or later to return to their native land. Many of them had been sending their children home to the grandparents. To their astonishment and sorrow they began to discover that their children were not Japanese in temperament, language, manners, or tastes. They could neither read nor write Japanese, and could not enter Japanese schools. Even in the islands, in proportion as the children advanced in the Territorial schools, the parents found themselves getting out of touch with their own children. The children were learning a language and acquiring ideas that the parents knew nothing of. They could not even talk freely with their children.

As one Japanese expressed it, "the mother was like a hen with ducklings." With the confident expectation of returning eventually to Japan with their children, "Japanese schools became an absolute necessity." They sprang up all over the islands

(between 1905–1910), largely by the energy of Buddhist priests, who took advantage of the new situation to bind the Japanese population to their shrines and temples by rendering a real service. The Hawaiian planters, moreover, in order to retain their Japanese labor, assisted these Japanese schools by substantial financial grants.

Those schools had their exercises usually for one hour before and for two hours after the public schools. According to the report of Governor Pinkham (1916) the number of these schools in 1915 was 112, and the number of the children attending them was 11,216. The aim of these schools has not been to displace the public-school system, but only to teach the children their native language, history, customs, and ideals. It was perfectly natural that the inculcation of patriotism for Japan and loyalty to the Emperor should also be a part of their programme and purpose.

By 1910–1912 this situation began to attract the attention and arouse the anxiety of Americans. They realized that these thousands of Japanese boys were American-born citizens; they saw them being trained for loyalty to Japan—implying disloyalty to America. Far-seeing, fair-minded, and intelligent Japanese saw the justice of the American contention. By 1915 a great change, as we have seen, had come over the vast majority of the Japanese. Their children, thousands of them well on

in their teens, had no desire of returning to Japan—a strange country and disagreeable in many aspects. "To reside permanently in Hawaii is now the popular cry among the Japanese in Hawaii," writes a Japanese correspondent. "This change has taken place within the past five or six years."

In consequence of this change the situation in the Japanese schools has been undergoing important transformation. The Japanese text-books have been revised, the effort being to remove those features that might be regarded by Americans as teaching disloyalty to the United States. A few Japanese in Japan have become indignant over the changes on the ground that the new text-books teach disloyalty to the Emperor.

The total outcome of this movement is clear and will be satisfactory if it is handled wisely by Americans. The Japanese in Hawaii—especially the rising generation—who are better acquainted with the English language and with American history and ideals than they are with the Japanese language, history, and ideals, will not long tolerate Japanese schools. Parents will not long continue to support or to compel their children to attend them. New immigration from Japan has become negligible. Before long the children of Hawaiian-born Japanese will begin to appear who will know little or nothing of their ancestral tongue.

A keen Japanese, long resident in the Hawaiian

Islands, makes this forecast in a personal letter. "As the stars disappear one by one before the dawn, so will the Japanese schools in Hawaii. Within the next ten or fifteen years there will probably remain only one or two such schools in Hilo and Honolulu. But even they will not be for children, but for those who wish to have commercial relations with Japan. Buddhists will, of course, maintain their schools in order to keep their hold on the children, just as the Roman Catholics are doing in the United States and Hawaii; but I believe that the instruction will be given in English and not in Japanese."

At the time of my investigation (1915) I visited quite a number of these Japanese schools. The teachers in the non-religious and Jodo Buddhist schools appeared to be fair-minded, intelligent men, having some real appreciation of their problem and a desire to solve it to the mutual advantage of the Hawaiian Islands and their Japanese constituency. The priest teachers of the Shinshu (Hongwanji) Buddhist schools did not make a like impression upon me. The presence of these schools, with the temples and shrines of two or three of the most superstitious sects of Japanese Buddhism (Shingon and Daishi), may well cause anxiety to patriotic Americans.

Many of these Japanese teachers are old-fashioned Buddhist priests, belated and reactionary even from

the standpoint of Japanese in Japan, wholly unacquainted with English, and out of sympathy with American institutions. It is not fitting that they should be allowed to stand as teachers of American youth. The solution for this difficulty would seem to be a Territorial law to the effect that teachers in all schools in the Territory, private as well as public, must qualify in certain specified matters, such as knowledge of English, American history, methods of government, and ideals of democracy. Every teacher should hold a certificate from the Board of Education. Such a law would practically force the Japanese schools to employ progressive Japanese. It is a question, moreover, whether the plantations should be allowed to subsidize Japanese schools whose teachers and policies tend to obstruct the Americanization of their pupils. Serious problems are ahead unless Hawaiian-born Japanese are pretty thoroughly Americanized.

These general conditions described above are also producing important changes of attitude among Japanese as to the question of securing American citizenship. Whereas until recently few thought of it or cared for it, many are now seriously considering the disabilities under which they live, alienated from Japan by their life here, and yet unable to acquire American citizenship. Desire for American citizenship has developed rapidly during the past four or five years, greatly stimulated by the addresses and

advice given by such Japanese visitors as Messrs. Hattori, Ebara, Soyeda, and Ibuka and others, who in 1913 visited the United States at the time of the California Anti-Alien Legislation.

Among the questions I constantly put to plantation managers and others who have direct dealings with Japanese was one as to their opinion of the capacity of Japanese for intelligent, high-minded, and loyal citizenship. With but few exceptions the replies were prompt and favorable. A few stated emphatically that Japanese as a whole would make better citizens than the majority of those who are now citizens.

The large majority of those interviewed do not look forward with anxiety to the time when the thousands of Hawaiian-born Japanese boys shall exercise their rights of suffrage. Several expressed the thought that there would be real advantage because of such a class of voters.

A recent development throwing much light on the question of Americanization of Hawaiian-born Japanese is the formation of "Japanese American Citizenship Associations" in several centres such as Honolulu, Hilo, and Kauai. The Honolulu association has a membership of 70, while that at Hilo has as many as 90. The Y. M. C. A. at Honolulu has a citizenship club of English-speaking Japanese which numbers 60, of whom one-half were born in Hawaii, and the other half in Japan. The purpose of these

associations is the promotion of good-citizenship habits among the new voters now rapidly developing among the Japanese population.

The association at Kauai is, however, the most active and interesting. It holds classes at twelve different points in the island, averaging a dozen members each. A remarkable feature is that the members pay a fee of one dollar per month and the teachers receive regular payment for their work. This association was organized July 4, 1917, with an initial membership of 50. A fine photograph of the group reveals them as well-dressed, ambitious, energetic American youth. A few of the members were accepted as associates because, born in Japan, they could not become voting citizens.

The number of Japanese voters is still small. According to the report of the Chamber of Commerce (December 31, 1916), the Hawaiian and part Hawaiian registered voters numbered 10,713, Americans, 3,284, Portuguese, 2,610, Chinese, 777, British, 648, and Japanese, 179, all others numbering 648—a total of 18,981. On registration day of 1917, according to the *Friend* 596 Japanese registered preliminary to voting on November 6. In ten years there will be a substantial Japanese voting population. Shall they be definitely trained for good citizenship by intelligent presentation of the ideals and practices of democracy, or will they be left to drift into partisan or race politics as have

the naturalized and American-born citizens of Irish, Hebrew, and other peoples from Europe?

There are encouraging signs that the political leaders of Hawaii are awake to the problem and are grappling earnestly and effectively with the new situation developing through the oncoming thousands of Hawaiian-born Japanese citizens.

Americans will naturally ask what the attitude and action of these Hawaiian-born Japanese American citizens would be in case of war with Japan. Would they be genuine American or primarily Japanese—hyphenates?

In this connection it is important to note what the Japanese themselves say. Again I may refer to the teaching of the moralists of Old Japan, now repeatedly emphasized, that the principle of Bushido, the way of the warrior, which emphasizes loyalty, would require Japanese who are American citizens to fight for America. Every Japanese who speaks or says anything on these matters takes this ground.

On the occasion of the formation of the association at Hilo, referred to above, Reverend S. Sokabe, who made the principal address, used these words, which are characteristic of the spirit of the entire speech: "American-born and naturalized Japanese are no longer bound to Japan, are no longer her subjects. They are subjects of the United States and should prove true and loyal to her. You, American Japanese, are bound to the Stars and Stripes, and

should unite in loyalty for Hawaii and America. Should emergency arise, offer yourselves as did Patrick Henry and Israel Putnam patriotically to the State, and thus guard and maintain the prosperity of your country, the United States of America."

Information has been received that since the United States declared war on Germany many Japanese have taken marked interest in the National Guard. In Honolulu, on August 16, 77 American-born Japanese enlisted and were organized into Company D of the first regiment, the first unit of American troops of Japanese race under the American flag, their officers being Americans.

A question asked by many concerns the number of foreign-born Japanese who would qualify and become naturalized in case the laws should allow it. In seeking a reply, we must bear several facts in mind. The "gentlemen's agreement" went into effect in 1908; at that date there were in Hawaii some 54,000 Japanese males; since then, as we have already seen, some 7,000 more Japanese men have left the islands than have entered. We must also remember that the vast majority of Japanese in the islands are peasants with exceedingly limited education in their own language. Considering how difficult it is for Americans to learn Japanese, we gain some idea as to the difficulty for a Japanese to learn enough English to read a newspaper. In case Japa-

nese should be granted privileges of naturalization, they would have to acquire a definite standard of English. Remembering that the vast majority of Japanese men in the islands are laborers and that their opportunity and time and capacity for study are of the lowest, I conclude that in all probability not five per cent could possibly qualify.

I venture the "guess" that in five years not more than 2,000 to 2,500 Japanese men born in Japan would have fulfilled the conditions and become American citizens by naturalization.

No study of the Japanese situation in Hawaii would be adequate that did not take full account of the Christian movement among them. Soon after Japanese began to come in considerable numbers to the Hawaiian Islands, American Christians started evangelistic work especially for Japanese. Even before the close of the last century the Hawaiian mission board established a Japanese section, securing Reverend O. H. Gulick to become its superintendent. Born in Hawaii of missionary parents, and a master of its language, he had spent nearly twenty-five years in Japan in missionary service and was therefore peculiarly fitted for the task of introducing Americans, Hawaiians, and Japanese to each other.

The work soon grew to such an extent that in 1900 Doctor Doremus Scudder was called from a successful pastorate in Massachusetts. In preparing

for his task he visited Japan, where he had spent five years as a missionary; he visited all those sections of Japan from which Japanese laborers had gone to the islands. In response to his offer to carry letters to long-absent sons, he was deluged with some twenty thousand. On arrival in Hawaii he visited all the plantations and delivered the letters in person so far as possible. This was the beginning of a highly valuable relationship and secured appreciation by the Japanese of the Christian spirit of service and friendship.

Individual Japanese soon began to respond to the Christian appeal. The building up of permanent churches, however, has been a highly difficult matter because of the constant shifting of the population from island to island, much of it also returning permanently to Japan. Since 1910, however, with the development of the new spirit among the Japanese and the decision on the part of many to remain permanently in the islands, the growth of the churches has been more steady and wholesome.

According to the most recent statistics there are in the five islands 30 Japanese churches having a total membership of 2,149, and a Sabbath-school attendance of 2,779 children. The Japanese churches are served by a faithful, self-sacrificing group of some 25 pastors and evangelists, men of rare spirit and consecration, who could easily double and treble their income were they to enter on business careers.

The American superintendent of the Japanese work has for some years been Reverend Frank Scudder, who also rendered missionary service in Japan of ten or a dozen years. No more important factor is at work in the Americanizing of Japanese in the islands than that of the Christian gospel with the ideals which it presents of God and man, husband and wife, parents and children, the dignity of labor, and emphasizing as it does the sacredness of all the social and racial relations and duties.

The civilization and social order of America is essentially Christian. Those foreigners who become genuine Christians are much more likely to become loyal American citizens than those foreigners who cling to their ancestral faiths and superstitions or, even if these are abandoned, become mere materialists without religious ideas or convictions.

As is now quite clear, the American Japanese problem in the Hawaiian Islands is quite unique. A relatively small American minority, about 15,000 all told, is seeking to Americanize vastly larger groups of diverse races. Biologically, of course, it is impossible. Complete intermarriage of the races would in time completely swallow up the white. Hawaii's population in all probability will become increasingly a mixture of Japanese, Chinese, Hawaiian, and white, the pure bloods constituting a constantly diminishing proportion. There is, however, reason for holding that if the matter is rightly

handled, the entire population of the islands may gain such mastery of the English language, and may be so permeated with American ideas and ideals that the Territory of Hawaii may be as truly American as any section of the mainland. To secure these results, however, not only the Territorial people and government must do their respective parts, but the federal government also must make its contribution.

While at present, as we have seen above, out of 18,981 enjoying the suffrage 10,713 are Hawaiian and part Hawaiian, and American voters number 3,284, Portuguese 2,610, Chinese 777, and British 648, yet within two or three decades Japanese will constitute the largest single body of voters. Chinese, Portuguese, and Filipinos will also constitute important groups. Shall these race groups be ranged in solid bodies contending selfishly for race rule and economic advantage, or shall they cooperate cordially for the general welfare on the basis of genuine democracy? These are not questions of merely academic interest. They are highly practical and demand the best study of our best thinkers and the earnest activities of all good citizens of each of the races concerned.

A few further facts may well be given as throwing light on the interesting question of Japanese development and place among the races contributing to the new race mixture arising in Hawaii. Of the five

daily papers in Hawaii, three are Japanese and two are English. Of the seven weeklies, one is Japanese, two are English, two Hawaiian, and one is Portuguese. There are three English semi-weeklies and one Korean. There are four Chinese tri-weeklies, and, as for the monthlies, there are four Japanese, one Chinese, seven English, two Korean, one Filipino, and one Hawaiian. The number of publications to each language, therefore, is: English 14, Japanese 8, Chinese 5, Hawaiian 3, Korean 3, Portuguese 1, and Filipino 1.

In the matter of criminality Japanese make an excellent record. While the average percentage of those convicted for the entire population was, in 1915, 4.12 per cent, the criminality of the whites was 2.26 per cent, Japanese 2.39 per cent, Hawaiian 3.02 per cent, Chinese 6.19 per cent, and of the rest 13.12 per cent. Of those who appeared before the Juvenile Court, in spite of their large population the Japanese have the smallest figure to their discredit: Hawaiians 222, Chinese 103, Portuguese 90, and Japanese 51 for the boys, and for the girls the figures stand respectively 64, 11, 11, and 3.

These facts show that the Japanese are an intelligent and also an orderly, law-respecting people—which promises well for their wholesome co-operation in democratic government.

The Chinese situation in Hawaii is relatively simple, partly because their numbers are com-

paratively small, and also partly because they are not aggressive like the Japanese and are not supported by a wide-awake government, constantly looking out for the interests of its people.

The Chinese population in Hawaii in 1900 was 25,767, which fell to 21,674 in 1910. Of these, 17,148 were males and 4,526 were females, of whom 2,422 were girls under fifteen years of age. There were 421 unmarried women over 15 years of age and 1,555 were married women. In 1916 the estimated Chinese population was 21,954. The marriage of Chinese men with Hawaiian women has been going on for decades with results approved of all, for the offspring are generally regarded as superior to either parent, inheriting the good qualities of both.

CHAPTER XIV

CONCLUSION

In the chapter dealing with our treatment of the Chinese, attention was called to the pledge of our government that in case of ill treatment "the United States will exert all its powers to devise measures for their protection and to secure to them the same rights and privileges, immunities, and exemptions as may be enjoyed by the citizens and subjects of the most favored nation." Thus far, Congress has ignored this promise.

Now that the whole world begins to realize how important it is for a nation to keep with utmost care its treaty obligations, has not the time come for Congress to take the needed action?

In this matter, moreover, we are bound by numerous treaties with many other countries also respecting the rights of aliens.

For example, the treaty of 1871 with Italy contains the following reciprocal pledges:

"The citizens of each of the high contracting parties shall receive in the states and territories of the other the most constant protection and security for their persons and property, and shall enjoy in this respect the same rights and privileges as are or

may be granted to the natives on their submitting themselves to the conditions imposed upon the natives."

The personal and property rights of aliens have, nevertheless, been repeatedly violated, and, as a result, the friendly relations existing between the United States and foreign countries have been jeopardized.

Honorable William H. Taft has given a list[1] of seventy-three aliens of different nationalities lynched or murdered in other ways between 1885 and 1910, in addition to those who were wounded. Thousands have been driven from their homes and their property destroyed by lawless mobs.

In all these cases the federal government has acknowledged its responsibility by paying indemnities, but it has not been able either to give protection in case of threatened danger or of prosecution of those who committed the crimes, owing to lack of legislation authorizing the federal authorities to take the needful actions. In support of this statement the words of four recent presidents are offered:

President Harrison, just after the Mafia case at New Orleans in 1891, said:

"It would, I believe, be entirely competent for Congress to make offenses against the treaty rights of foreigners domiciled in the United States cognizable in the federal courts. This has not, however,

[1] "The United States and Peace."

been done, and the federal officers and courts have no power in such cases to intervene either for the protection of a foreign citizen or for the punishment of his slayers."

President McKinley, in his annual message of December 5, 1899, used these words:

"For the fourth time in the present decade the question has arisen with the government of Italy in regard to the lynching of Italian subjects. The latest of these deplorable events occurred at Tallulah, Louisiana, whereby five unfortunates of Italian origin were taken from jail and hanged. . . . The recurrence of these distressing manifestations of blind mob fury, directed at dependents or natives of a foreign country, suggests that the contingency has arisen for action by Congress in the direction of conferring upon the federal courts jurisdiction in this class of international cases where the ultimate responsibility of the federal government may be involved."

President Roosevelt, in his annual message of December, 1906, said:

"One of the greatest embarrassments attending the performance of our international obligations is the fact that the statutes of the United States are entirely inadequate. They fail to give to the national government sufficiently ample power, through United States courts and by the use of the army and navy, to protect aliens in the rights secured to them under solemn treaties which are the law of the land. I therefore earnestly recommend that the criminal and civil statutes of the United States be so amended

and added to as to enable the President, acting for the United States Government, which is responsible in our international relations, to enforce the rights of aliens under treaties. There should be no particle of doubt as to the power of the national government completely to perform and enforce its own obligations to other nations. The mob of a single city may at any time perform acts of lawless violence against some class of foreigners which would plunge us into war. That city by itself would be powerless to make defense against the foreign power thus assaulted, and if independent of this government it would never venture to perform or permit the performance of the acts complained of. The entire power and the whole duty to protect the offending city or the offending community lies in the hands of the United States Government. It is unthinkable that we should continue a policy under which a given locality may be allowed to commit a crime against a friendly nation, and the United States Government limited, not to prevention of the commission of the crime, but, in the last resort, to defending the people who have committed it against the consequences of their wrongdoing."

President Taft, in his inaugural address, March 4, 1909, said:

"By proper legislation we may, and ought to, place in the hands of the federal executive the means of enforcing the treaty rights of such aliens in the courts of the federal government. It puts our government in a pusillanimous position to make definite engagements to protect aliens and then to excuse the failure to perform those engagements by an explanation that the duty to keep them is in

States or cities not within our control. If we would promise we must put ourselves in a position to perform our promise. We cannot permit the possible failure of justice, due to local prejudice in any State or municipal government, to expose us to the risk of a war, which might be avoided if federal jurisdiction was asserted by suitable legislation by Congress and carried out by proper proceedings instituted by the executive in the courts of the national government."

In 1912 a bill was prepared and introduced into the House enabling the federal government to execute its treaty obligations for the protection of aliens resident in the United States. This bill, drafted by Honorable William H. Taft, himself, was endorsed by the American Bar Association. No action, however, was taken by Congress. It is difficult to understand why Congress has so long failed to pass the necessary law. Is not the real reason the apathy of the responsible citizens of the United States in regard to international relations, responsibilities, and duties?

In conclusion, then, we earnestly invite all those who sympathize with the view and proposals presented in these pages to consider how they may most effectively co-operate for their realization.

What is now needed is a League for Constructive Immigration Legislation, composed of tens of thousands of citizens in all parts of the country, who will aid in the education of our people in these matters

of international duties and responsibilities, and who will bring such pressure to bear on the legislators at Washington as shall in time secure the enactment of the needed laws. In the briefest form these laws should enable the administration

To give adequate federal protection to aliens resident in the United States;

To restrict all immigration to such numbers from each people as we can really Americanize, and

To give privileges of citizenship to every person who qualifies for it, regardless of his race.

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